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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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RAMBUS INC.,

Case No. C-08-03343 SI

Case No. C-08-05500 SI

18

Plaintiff,

19

v.

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER REGARDING
SCHEDULING AND DISCOVERY**

20

NVIDIA CORPORATION,

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Defendant.

22

and

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NVIDIA CORPORATION

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Plaintiff,

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v.

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RAMBUS INC.,

27

Defendant.

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Joint Stipulation and [Proposed] Order Regarding
Scheduling and Discovery
(Case Nos. C-08-03343 SI and C-08-05500 SI)

1 Rambus Inc. and NVIDIA Corporation (collectively, the “parties”) hereby submit the
2 following joint stipulation and proposed order regarding scheduling and discovery:

3 WHEREAS, the Court’s April 13, 2009 Order provides for an initial four-month phase of
4 discovery limited to document production from other proceedings in order to minimize burden
5 and inefficiency, and a case management conference on August 21, 2009 “to determine the next
6 steps in the case management plan.” (Order re: Discovery and Denying Defendant’s Motion for
7 Stay (Docket No. 120, C-08-03343) (the “Discovery Order”), 3:4-18);

8 WHEREAS, the Discovery Order further provides that “[p]rior to that case management
9 conference, the parties shall meet with the Special Master to discuss a plan for the next phase of
10 discovery. The parties shall submit a joint case management conference statement by August 14,
11 2009.” (*Id.* at 3:19-21);

12 WHEREAS, on June 11, 2009, the Parties filed a Stipulation and [Proposed] Order
13 regarding discovery, which the Court entered on June 18, 2009 (Docket No. 127) (the “Discovery
14 Stipulation”);

15 WHEREAS, pursuant to the Discovery Order and the Discovery Stipulation, during the
16 initial four-month phase of discovery, each party granted to the other party access in these actions
17 to certain discovery materials each party produced in the ITC action and certain other proceedings
18 in which a party has been involved;

19 WHEREAS, pursuant to the Discovery Order and Discovery Stipulation, the parties agree
20 that the initial phase of discovery should continue and are continuing to meet and confer with
21 respect to open issues regarding further production of materials from other proceedings;

22 WHEREAS, the ITC action is scheduled for trial this October, an initial determination is
23 due on January 22, 2010, and the parties believe that the ITC proceedings may generate materials
24 that may enable the parties in these district court cases to further target their discovery and assess
25 the remaining schedule for these cases;

26 WHEREAS, the parties agree that the case management conference scheduled for August
27 21, 2009 at 3:00 pm should be rescheduled to February 12, 2010 at 3:00 pm; that the parties’

1 meeting with the Special Master to discuss a plan for the next phase of discovery should likewise
2 be rescheduled to occur prior to the rescheduled case management conference; that the August 14,
3 2009 deadline for the parties to submit a joint case management statement should be rescheduled
4 to February 5, 2010; and that the initial phase of discovery should continue during the interim;

5 THEREFORE, IT IS ORDERED THAT:

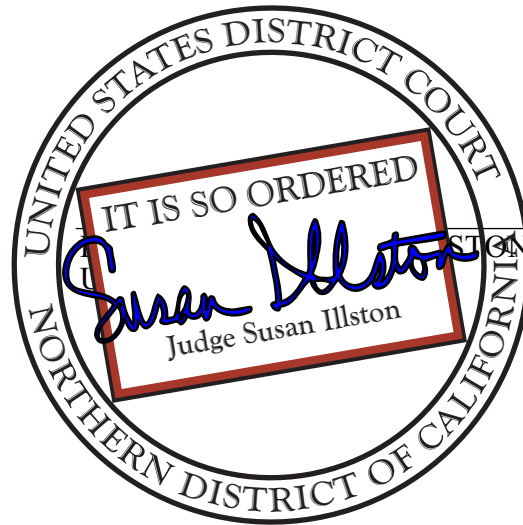
6 (1) The case management conference scheduled for August 21, 2009 at 3:00 pm is
7 hereby rescheduled to **February 12, 2010** at 3:00 pm. Prior to that case management conference,
8 the parties shall meet with the Special Master to discuss a plan for the next phase of discovery.
9 The August 14, 2009 deadline for the parties to submit a joint case management conference
10 statement is hereby rescheduled to **February 5, 2010**.

11 (2) In the interim, discovery will be limited to document production. No depositions
12 or written discovery will take place, and the Patent Local Rules will remain suspended.

13 (3) The Discovery Stipulation previously entered by the Court remains in effect.

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15 **SO ORDERED:**

16 Dated: August 5, 2009



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Dated: August 04, 2009

ORRICK, HERRINGTON & SUTCLIFFE LLP

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Dated: August 04, 2009

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