

1 James W. Morando (State Bar No. 087896)
 jmorando@fbm.com
 2 Jeffrey M. Fisher (State Bar No. 155284)
 jfisher@fbm.com
 3 June T. Tai (State Bar No. 226997)
 jtai@fbm.com
 4 Farella Braun & Martel LLP
 235 Montgomery Street, 17th Floor
 5 San Francisco, CA 94104
 Telephone: (415) 954-4400
 6 Facsimile: (415) 954-4480

7 Attorneys for Plaintiff
 VOLTERRA SEMICONDUCTOR CORPORATION

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 VOLTERRA SEMICONDUCTOR
 CORPORATION, a Delaware corporation,

14 Plaintiff,

15 vs.

16 PRIMARION, INC., a Delaware
 17 corporation, INFINEON
 TECHNOLOGIES AG, a German
 18 corporation, and INFINEON
 TECHNOLOGIES NORTH AMERICA
 19 CORPORATION, a Delaware corporation,

20 Defendants.

21 AND RELATED COUNTERCLAIMS.
 22

Case No. CV-08-5129 JCS

**STIPULATION AND [PROPOSED]
 ORDER REGARDING DISCLOSURE OF
 WITNESSES AND PROPOSED EXHIBITS**

Dept.: Courtroom A, 15th Floor
 Judge: Honorable Joseph C. Spero

Complaint Filed: November 12, 2008
 Trial Date: May 9, 2011

1 Plaintiff Volterra Semiconductor Corporation and Defendants Primarion, Inc., Infineon
2 Technologies North America Corp., and Infineon Technologies AG (collectively, the “Parties”),
3 by and through their respective counsel, jointly stipulate as follows to clarify and confirm their
4 understanding of subsection VI-M of the March 9, 2010 Case Management and Pretrial Order
5 (Dkt. No. 711), which provides that:

6 “[a]t the close of each trial day, all counsel shall exchange a list of witnesses for the next
7 two full court days and the exhibits that will be used during direct examination (other than
8 for impeachment of an adverse witness). Within 24 hours of such notice, all other counsel
9 shall provide any objections to such exhibits and shall provide a list of all exhibits to be
used with the same witness on cross-examination (other than for impeachment). The first
notice shall be exchanged prior to the first day of trial. All such notices shall be provided
in writing.”

10 The parties have further agreed to certain procedures to help facilitate the orderly
11 presentation and review of exhibits during trial as set forth more fully below.

12 The parties hereby stipulate as follows with respect to subsection VI-M of the March 9,
13 2010 Case Management and Pretrial Order:

14 1. Subsection VI-M applies to all witness testimony, including those witnesses who
15 are to be presented by deposition testimony.

16 2. Written disclosures prior to the first day of trial disclosures will be provided by
17 6:00 p.m. on Friday May 6, with any related exhibit disclosures required due to the Friday
18 disclosures required by 5:00 p.m. on Saturday May 7.

19 3. Regarding witnesses called after the first day of trial, the specific time deadline for
20 such written disclosures shall be no later than 5:00 p.m. on the dates that they are due (*i.e.*, 5:00
21 p.m. two court days prior to the day a witness will be called on direct and 5:00 p.m. on the
22 following day for objections and disclosures of exhibits for cross). For example, a witness to be
23 called on direct on Wednesday would be identified on Monday and objections would be made on
24 Tuesday. Notice by email will be sufficient. With respect to disclosures for witnesses to appear
25 on Mondays, the deadline shall be extended to 5:00 p.m. on Friday with any related exhibit
26 disclosures required due to the Friday disclosures required by 5:00 p.m. on Saturday. With
27 respect to disclosures for witnesses to appear on Tuesdays, the deadline shall be extended to
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1 5:00 p.m. on Saturday with any related exhibit disclosures required due to the Saturday
2 disclosures required by 5:00 p.m. on Sunday.

3 4. All exhibits to be used on direct or cross shall be identified by exhibit number as
4 reflected on the Joint Exhibit List and any demonstratives should be physically exchanged.

5 5. Any exhibits or demonstratives not identified in accordance with the above-
6 referenced procedures cannot be used with the witness on either direct or cross (other than those
7 offered solely for impeachment purposes).

8 6. Counsel shall not over-designate potential exhibits in these disclosures, but shall
9 use their best efforts to identify only those documents they actually intend to use on direct or
10 cross (other than those offered solely for impeachment purposes).

11 7. On the morning before start of the trial day for each witness expected to take the
12 stand that day at trial, each side shall have prepared binders containing all exhibits they intend to
13 use with the witness on direct or cross examination as previously identified in the written
14 disclosures (other than for impeachment), which shall be provided to the other side and to the
15 Court with an additional binder available for the witness when the witness is called to the stand.
16 For ease of reference and to facilitate witness examination, such binders will separate each
17 proposed exhibit by a tab with the same exhibit number as reflected on the Joint Exhibit List.

18 **IT IS SO STIPULATED.**

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Dated: May 2, 2011

FARELLA BRAUN & MARTEL LLP

I represent that concurrence in the filing of this document has been obtained from each of the other signatories which shall serve in lieu of their signatures on this document

By: /s/ Jeffrey M. Fisher
Jeffrey M. Fisher

Attorneys for Plaintiff
VOLTERRA SEMICONDUCTOR
CORPORATION

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Dated: May 2, 2011

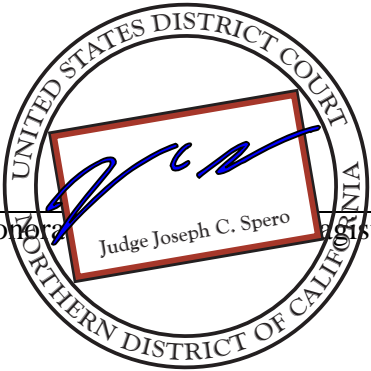
McDERMOTT WILL & EMERY LLP

By: /s/ Vera Elson
 Vera Elson

Attorneys for Defendants
PRIMARION, INC. and INFINEON
TECHNOLOGIES NORTH AMERICA
CORPORATION

**PURSUANT TO THE STIPULATION OF THE PARTIES, AND GOOD CAUSE
APPEARING, IT IS SO ORDERED**

Dated May 3, 2011

The Honorable  Sistrate Judge