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PTE. LTD

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AVAGO TECHNOLOGIES FIBER IP  
(SINGAPORE) PTE. LTD., *et al.*,  
  
Plaintiffs,  
  
vs.  
  
EMCORE CORP., *et al.*,  
  
Defendant.

Case No.: C 08-5394 SI

**[PROPOSED] ORDER STAYING  
ACTION PURSUANT TO 28 U.S.C.  
§1659**

Judge: The Hon. Susan Illston  
Case Filed: December 1, 2008

Based on the parties' Stipulation Requesting Stay of Action Pursuant to 28 U.S.C.

1 §1659, the Court finds as follows:

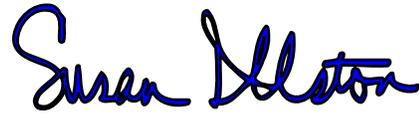
2 This proceeding involves the same issues and same parties as a proceeding before the  
3 United States International Trade Commission (“ITC”), and because Defendant Emcore Corp.  
4 (“Emcore”), a respondent in the ITC proceeding, has requested a stay of this action until the  
5 determination of the ITC becomes final, and because Plaintiffs Avago Technologies Fiber IP  
6 (Singapore) Pte. Ltd. and Avago Technologies General IP (Singapore) Pte. Ltd. stipulate to  
7 Emcore’s request, the request to stay action pursuant to 28 U.S.C. §1659 is GRANTED, and this  
8 action against Emcore is hereby stayed pending a final determination of the ITC regarding the  
9 issues involving Emcore in the proceeding before it.

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11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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13 Dated: \_\_\_\_\_



THE HON. SUSAN ILLSTON

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