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 LSI CORPORATION AND AGERE  
 SYSTEMS, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

NXP SEMICONDUCTORS USA, INC.,  
 a Delaware corporation,

Plaintiff and Counterdefendant,

v.

LSI CORPORATION d/b/a LSI LOGIC  
 CORPORATION, a Delaware corporation,  
 and AGERE SYSTEMS, INC., a Delaware  
 corporation,

Defendants and Counterclaimants.

Case No. C 08-05682 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE**

1 Plaintiff and Counterdefendant NXP Semiconductors USA, Inc. (“Plaintiff”), by and  
2 through its undersigned counsel, and Defendants and Counterclaimants, LSI Corporation and  
3 Agere Systems, Inc. (collectively “Defendants”), by and through their undersigned counsel,  
4 hereby stipulate as follows:

5 WHEREAS, this case involves claims for infringement by Plaintiff of four patents and  
6 counterclaims for infringement by Defendants of five patents;

7 WHEREAS, on July 7, 2009, September 10, 2009, and October 29, 2009, the parties  
8 participated in mediation sessions conducted by the Honorable Edward A. Infante (Ret.);

9 WHEREAS, although the parties did not settle this and the co-pending case (assigned to  
10 Judge Ware, Case No. C 08-0775 JW, RS) between them at the mediation sessions, they have  
11 made significant progress towards a settlement agreement through these mediation sessions;

12 WHEREAS, on October 8, 2009, the Court issued an Order continuing the October 16,  
13 2009 Case Management Conference to November 20, 2009 at 10:30 a.m. (Dkt. No. 36);

14 WHEREAS, the parties participated in a further mediation session with the Honorable  
15 Edward A. Infante (Ret.) on October 29, 2009, and made further progress towards resolving the  
16 remaining outstanding issues in this and the co-pending case before Judge Ware. Additional  
17 settlement discussions (directly between the parties) have occurred since the October 29th  
18 mediation session, and such direct discussions will occur on an ongoing basis as the parties try in  
19 good faith to resolve complicated issues. The parties remain optimistic that a final settlement can  
20 be achieved soon.;

21 WHEREAS, the parties believe that good cause exists to continue the November 20, 2009  
22 Case Management Conference. The parties respectfully ask the Court to continue the November  
23 23, 2009 Case Management Conference to the first available date in January 2010. If the parties  
24 have not settled the cases by that time, they will provide a status report and a Case Management  
25 Conference statement to the Court not less than 10 days prior to the rescheduled Case  
26 Management Conference.

27 THE PARTIES HEREBY STIPULATE, by and through their respective counsel, and  
28 respectfully request that the Court continue the November 20, 2009 Case Management

1 Conference to the first available date in January 2010. The parties shall submit a status report and  
2 a Case Management Conference Statement not less than 10 days prior to the rescheduled Case  
3 Management Conference.

4  
5 Dated: November 13, 2009

MORGAN, LEWIS & BOCKIUS LLP

6  
7 By /s/Michael J. Lyons

8 Michael J. Lyons  
Attorneys for Plaintiff

9 Dated: November 13, 2009

IRELL & MANELLA LLP

10  
11 By /s/Samuel K. Lu

12 Samuel K. Lu  
Attorneys for Defendants

13  
14 IT IS SO RECOMMENDED

15 Dated: November 13, 2009

16  
17 By /s/ Edward A. Infante

18 Hon. Edward A. Infante (Ret.)

19 **FILER'S ATTESTATION**

20 I, Michael J. Lyons, am the ECF user whose identification and password are being used to  
21 file this Stipulation and [Proposed] Order Continuing Case Management Conference. In  
22 compliance with General Order 45.X.B, I hereby attest that Samuel K. Lu and Hon. Edward A.  
23 Infante (Ret.) concur in this filing.

24 Dated: November 13, 2009

25  
26 By /s/Michael J. Lyons

27 Michael J. Lyons  
Attorneys for Plaintiff

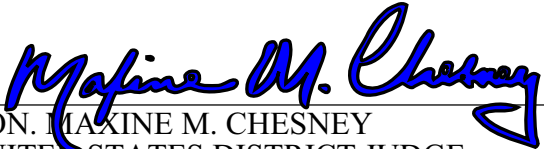
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**~~PROPOSED~~ ORDER**

The Court GRANTS the parties request to continue the November 20, 2009 Case Management Conference. On January 8, 2010 at 10:30 a.m., the parties shall appear for a Case Management Conference. The parties shall file a Supplemental Joint Case Management Statement, including a status report on their settlement discussions, not less than 10 days prior to the conference.

**IT IS SO ORDERED.**

Dated: November 13, 2009

By   
HON. MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE