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 18 GREGORY BENDER

19 **UNITED STATES DISTRICT COURT**
 20 **NORTHERN DISTRICT OF CALIFORNIA**
 21 **SAN FRANCISCO DIVISION**

22 GREGORY BENDER,
 23 Plaintiff and Counterdefendant,
 24 v.
 25 ADVANCED MICRO DEVICES, INC.,
 26 Defendant and Counterclaimant.

Case No. C09-01149 MMC (EMC)

**STIPULATION AND ~~PROPOSED~~
 ORDER; ORDER VACATING
 CLAIM CONSTRUCTION HEARING**

27 WHEREAS a status conference is currently set for August 27, 2010 at 10:30 AM;
 28 WHEREAS the parties have reached a tentative settlement agreement;
 WHEREAS the parties need additional time to finalize their settlement agreement and file
 the requisite documents with the Court;

1 THEREFORE, the parties hereby STIPULATE and AGREE that the status conference
2 scheduled for August 27, 2010 shall be continued to September 24, 2010 at 10:30 am, or at such
3 later date and time as is convenient for the Court, to allow the parties time to finalize their
4 settlement agreement and file the requisite documents with the Court.

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6 Respectfully submitted,

7 Dated: August 25, 2010

By: /s/ Mark E. Miller

Mark E. Miller
O'Melveny & Myers LLP
Counsel for Defendant
ADVANCED MICRO DEVICES, INC.

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11 Dated: August 25, 2010

By: /s/ Mark E. Miller

David N. Kuhn
Attorney-at-Law
Counsel for Plaintiff GREGORY BENDER

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14 Pursuant to General Order No. 45 X(B), I hereby attest that concurrence in the filing of
15 this document has been obtained from each of the above-listed signatories.

16 Respectfully submitted,

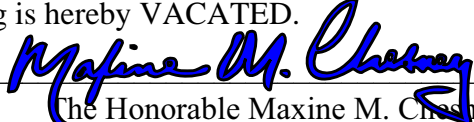
17 Dated: August 25, 2010

By: /s/ Mark E. Miller

18 Mark E. Miller
19 O'Melveny & Myers LLP
20 Counsel for Defendant
21 ADVANCED MICRO DEVICES, INC.

22 PURSUANT TO STIPULATION IT IS SO ORDERED: No further continuances will be granted
23 absent a timely filing and an additional showing as to good cause. In light of the above, the
24 September 20, 2010 claim construction hearing is hereby VACATED.

25 Dated: August 25, 2010


The Honorable Maxine M. Chesney
United States District Judge