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 13 DELTA ELECTRONICS (THAILAND)
 PUBLIC COMPANY LIMITED

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 SONY ERICSSON MOBILE
 COMMUNICATIONS AB,
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 Petitioner,
 21
 v.
 22 DELTA ELECTRONICS (THAILAND)
 23 PUBLIC COMPANY LIMITED,
 24
 Respondent.

Case No. 3:09-CV-01326 MMC (BZ)
**STIPULATION AND ORDER RE
 RESPONDENT’S WITHDRAWAL OF
 JURISDICTIONAL ARGUMENTS IN ITS
 OPPOSITION TO PETITION TO
 CONFIRM AWARD AND CROSS-
 MOTION TO DISMISS**

1 Petitioner and Respondent stipulate:

2 1. Delta Electronics (Thailand) Public Company Limited (“Delta”) submits to this
3 Court’s personal jurisdiction in this case and accordingly withdraws its claims concerning lack of
4 jurisdiction in the pleading titled “Respondent’s Opposition to And Notice of Cross-Motion and
5 Cross-Motion to Dismiss Petitioner’s Petition to Confirm Arbitration Award,” (Doc. No. 71).
6 Specifically, Delta withdraws the arguments set forth in Section IV-A of that pleading and the
7 jurisdictional grounds for its motion to dismiss. Delta does not withdraw any other portion of its
8 Opposition or any other ground for relief set forth in its motion to dismiss or stay, including forum
9 non conveniens, international comity, international abstention, and the lack of merit of the
10 underlying award found in sections I, II, III, IV.B – IV.D, V, VI, and VII. This stipulation does
11 not preclude Sony from arguing that such issues have already been determined by the Court.

12 2. Sony Ericsson Mobile Communications AB (“Sony”) had sought by subpoena
13 discovery to establish personal or quasi in rem jurisdiction. Upon the Court’s execution of the
14 order below, that discovery will be unnecessary. Therefore, effective upon execution, Sony will
15 withdraw its third party subpoenas issued to Delta Products Corporation, DET Logistics (USA)
16 Corporation, Apple, Inc., Wanco, Inc., Brocade Communications Systems, Inc., Hewlett-Packard
17 Company, Sanmina-SCI Corporation, and Hon Hai Precision Industry Co. Ltd. and shall so advise
18 the subpoenaed parties within 24 hours of the Court’s execution of the order below.

19 SHEPPARD MULLIN RICHTER & HAMPTON LLP

20 Dated: June 9, 2009

21 By /s/ Charles S. Donovan
22 CHARLES S. DONOVAN
23 Attorneys for Petitioner

24 FISH & RICHARDSON P.C.

25 Dated: June 8, 2009

26 By /s/ David J. Miclean
27 DAVID J. MICLEAN
28 Attorneys for Respondent

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Having considered the parties' stipulation, the Court orders:

1. Pursuant to stipulation, the Court has personal jurisdiction over Respondent in this case.
2. Within 24 hours of the Court's execution of this order, Sony shall advise Delta Products Corporation, DET Logistics (USA) Corporation, Apple, Inc., Wanco, Inc., Brocade Communications Systems, Inc., Hewlett-Packard Company, Sanmina-SCI Corporation, and Hon Hai Precision Industry Co. Ltd. that Petitioner withdraws the subpoenas it has issued to them, and shall provide Delta copies of such withdrawals.

Dated: June 10, 2009


United States District Judge