

1 Christopher D. Sullivan, SBN 148083
csullivan@mcgranegreenfield.com
2 McGRANE GREENFIELD, LLP
One Ferry Building, Suite 220
3 San Francisco, California 94111
Telephone (415) 283-1776
4 Facsimile (415) 283-1777

5 Steven M. Bauer*
sbauer@proskauer.com
6 Kimberly A. Mottley*
kmottley@proskauer.com
7 PROSKAUER ROSE LLP
One International Place
8 Boston, Massachusetts 02110
Telephone (617) 526-9600
9 Facsimile (617) 526-9899
*admitted *pro hac vice*

10 Attorneys for Plaintiff
11 **MKS INSTRUMENTS, INC.**

Paul Grandinetti*
Rebecca J. Stempien*
LEVY & GRANDINETTI
1156 Fifteenth Street, N.W., Suite 603
Washington, D.C. 20005
Telephone (202) 429-4560
Facsimile (202) 429-4564
mail@levygrandinetti.com
*admitted *pro hac vice*

Attorneys for Defendants
**NEW POWER PLASMA and
DOES 1-10 inclusive**

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 MKS INSTRUMENTS, INC.,) Case No.: C 09-02297 JSW (JL)
15)
Plaintiff,)
16)
v.) **SECOND STIPULATION AND**
17) **[PROPOSED] ORDER FOR**
NEW POWER PLASMA and DOES 1-10,) **EXTENSION**
18 inclusive)
19 Defendants.)
20)
21)

22 IT IS HEREBY STIPULATED by and between MKS Instruments, Inc. (“MKS Instruments”)
23 and New Power Plasma Co., Ltd. (“New Power Plasma”) (collectively the “Parties”) that the
24 time to achieve final documentation of the settlement terms decided upon during the Settlement
25 Conference, held on February 16, 2010 before the Honorable James Larson, Magistrate, is
26 extended through and including April 30, 2010. The Parties have been using all reasonable best
27
28

1 efforts to agree on the terms of the license agreement and have made significant progress, and
2 assert that additional time is necessary to continue and complete negotiations.

3
4 DATED: April 7, 2010

/s/ Chris Sullivan
Attorney for Plaintiff
MKS INSTRUMENTS, INC.
Christopher D. Sullivan, SBN 148083
csullivan@mcgranegreenfield.com
MCGRANE GREENFIELD, LLP
1 Ferry Bldg Ste 220
San Francisco, California 94111
Telephone: (415) 283-1776
Facsimile: (415) 283-1777

and


Steven M. Bauer*
sbauer@proskauer.com
Kimberly A. Mottley*
kmottley@proskauer.com
PROSKAUER ROSE LLP
One International Place
Boston, Massachusetts 02110-2600
Telephone: (617) 526-9600
Facsimile: (617) 526-9899
* admitted *pro hac vice*

10
11
12
13
14
15
16
17
18 DATED: April 7, 2010

/s/ Paul Grandinetti
Attorneys for Defendants
NEW POWER PLASMA CO., LTD.
Paul Grandinetti*
Rebecca J. Stempien*
LEVY & GRANDINETTI
1156 Fifteenth Street, N.W., Suite 603
Washington, D.C. 20005
Telephone: (202) 429-4560
Facsimile: (202) 429-4564
mail@levygrandinetti.com
*admitted *pro hac vice*

1 **IT IS SO ORDERED:**

2
3 April 7, 2010
4 Date



5 **UNITED STATES DISTRICT JUDGE**

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28