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 LSI CORPORATION and Counterclaimant  
 AGERE SYSTEMS INC.

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18 SANDISK CORPORATION,

19 Plaintiff,

20 v.

21 LSI CORPORATION,

22 Defendant.

23 LSI CORPORATION AND AGERE  
 24 SYSTEMS INC.,

25 Counteclaimants

26 v.

27 SANDISK CORPORATION

28 Counterdefendant.

Case No. C 09-02737 WHA

**PROPOSED ORDER RE SCHEDULE  
 FOR CLAIM CONSTRUCTION**

JUDGE: Hon. William Alsup  
 DATE FILED: June 19, 2009  
 Trial: November 8, 2010

1 The parties hereby agree to the following proposed schedule regarding claim  
2 construction:

- 3 1. Last date for parties to exchange Proposed Terms and Claim Elements for  
4 Construction shall be **December 4, 2009**.
- 5 2. Last date for parties to exchange Proposed Claim Constructions and provide  
6 preliminary identification of extrinsic evidence shall be **December 18, 2009**.
- 7 3. Last date for parties to file Joint Claim Construction and Pre-hearing Statement  
8 shall be **January 6, 2010**.
- 9 4. Last date to take discovery relating to claim construction shall be **January 15,**  
10 **2010**.
- 11 5. Last date for LSI and Agere to file its Opening Claim Construction Brief and  
12 supporting evidence shall be **January 25, 2010**.
- 13 6. Last date for SanDisk to file its Responsive Claim Construction Brief and  
14 supporting evidence shall be **February 10, 2010**.
- 15 7. Last date for LSI and Agere to file its Reply Claim Construction Brief and  
16 rebuttal evidence shall be **February 18, 2010**.

17 Dated: September 30, 2009

Respectfully submitted,

18 JONES DAY

19  
20 By: /s/ Gregory L. Lippetz  
Gregory L. Lippetz

21 Counsel for Plaintiff/Counterdefendant  
22 SANDISK CORPORATION

23 Dated: September 30, 2009

Respectfully submitted,

24 BERGESON LLP


25  
26 By: /s/ Melinda M. Morton  
Melinda M. Morton

27 Counsel for Defendant/Counterclaimant  
28 LSI CORPORATION and Counterclaimant  
AGERE SYSTEMS INC.

1           The Proposed Order regarding Claim Construction is hereby adopted by the Court  
2 as the Order regarding Claim Construction for the case and the parties are ordered to  
3 comply with this Order.

4  
5 IT IS SO ORDERED.

6  
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8 Dated: October 6, 2009

9 By  \_\_\_\_\_  
10 THE HONORABLE WILLIAM ALSUP  
11 United States District Judge  
12 Northern District of California



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