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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SANDISK CORPORATION,

No. C 09-02737 WHA

Plaintiff,

v.

**ORDER REGARDING
RULE 706 EXPERT**

LSI CORPORATION,

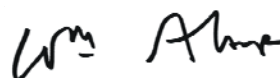
Defendant.

In order to be in a position to appoint an expert under FRE 706, counsel shall agree on two qualified candidates in this district and jointly call them to make sure they would be available and have no conflicts. After vetting the two candidates, counsel shall submit the two names and resumes to the Court **BY JANUARY 22, 2010**. The Court will then tentatively pick one of the two.

Due to the massive number of claims currently in suit, the Court tentatively plans to use the selected expert at trial and on all motions under FRE 706, but *not* as a confidential advisor to the judge alone. Each side may, **BY JANUARY 22, 2010**, submit declarations showing cause why such an appointment would (or would not) be advisable, and describing the assignment counsel would prefer be given to the expert.

IT IS SO ORDERED.

Dated: December 1, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE