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Attorneys for Defendant/Counterclaimant
 LSI CORPORATION and Counterclaimant
 AGERE SYSTEMS INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SANDISK CORPORATION,

Plaintiff,

v.

LSI CORPORATION,

Defendant.

Case No. C09-02737 WHA

**STIPULATION TO EXTEND DEADLINE
 FOR MEDIATION UNDER ADR L.R. 6-5
 AND CIVIL L.R. 7 AND ~~PROPOSED~~
 ORDER WITH MODIFICATIONS**

Judge: Hon. William Alsup
 Courtroom 9, 19th Floor

Date Filed: June 19, 2009
 Trial Date: November 8, 2010

**LSI CORPORATION AND AGERE
 SYSTEMS INC.,**

Counterclaimants,

v.

SANDISK CORPORATION,

Counterdefendant.

1 Pursuant to ADR L.R. 6-5 and Civil L.R. 7, Plaintiff-Counterdefendant SanDisk
2 Corporation (“SanDisk”) and Defendant-Counterplaintiff LSI Corporation and Counterplaintiff
3 Agere Systems, Inc. (collectively, “LSI”), through their respective counsel, hereby make the
4 following Stipulation with regard to the deadline for the parties to complete Mediation.

5 WHEREAS, on September 25, 2009, this Court issued the “Case Management Order and
6 Reference to ADR Unit for Mediation” (Dkt. No. 52) referring this case to the ADR Unit for
7 Mediation. Under ADR L.R. 6-4(b), the Mediation must occur within 90 days after entry of the
8 order referring the case to Mediation, which in this case is December 23, 2009.

9 WHEREAS, on October 5, 2009, the ADR Unit appointed Richard H. Abramson as
10 Mediator (Dkt. No. 54).

11 WHEREAS, on November 3, 2009, Mr. Abramson contacted the parties via letter
12 requesting that the parties schedule the Mediation for a date in January, 2010, or the first half of
13 February, 2010.

14 WHEREAS, on November 6, 2009, pursuant to ADR L.R. 6-6, Mr. Abramson scheduled
15 a pre-Mediation telephone conference for December 9, 2009.

16 WHEREAS, this Stipulation will not affect the case schedule.

17
18 **THE PARTIES HEREBY STIPULATE THAT:**

19 The Mediation shall occur no later than February 26, 2010.

20
21 Dated: December 7, 2009

JONES DAY

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23 By: /s/ Joe C. Liu
24 Joe C. Liu

25 Attorneys for Plaintiff
26 SANDISK CORPORATION

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In accordance with General Order No. 45, Section X(B), the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: December 7, 2009

BERGESON LLP

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

Attorneys for LSI CORPORATION AND
AGERE SYSTEMS INC.

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~~PROPOSED~~ ORDER

Pursuant to the Stipulation above, the Court hereby extends the deadline for the Mediation to occur no later than February 26, 2010.

The parties are reminded that the mediation deadline extension will have no effect on any other dates set forth in the case management order, and that settlement negotiations are never a sufficient basis to postpone trial dates. The parties *must* prepare for trial.

Dated: December 7, 2009.

By _____
THE HONORABLE WILLIAM ALSUP
United States District Judge
Northern District of California

