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15 *Attorneys for Plaintiffs Nokia Corporation and Nokia Inc.*

16
 17 **UNITED STATES DISTRICT COURT**
FOR THE NORTHERN DISTRICT OF CALIFORNIA
 18 **SAN FRANCISCO DIVISION**

19 IN RE TFT-LCD (FLAT PANEL)
 ANTITRUST LITIGATION

20 This Document Relates to: Case Nos. 07-MD-
 21 1827 and 3:09-CV-5609

22 NOKIA CORPORATION and
 NOKIA INC.,

23 Plaintiffs,

24 v.

25 AU OPTRONICS CORPORATION et al.

26 Defendants.
 27

CASE NO: 3:09-CV-5609
 MDL FILE NO: M:07-CV-1827-SII

STIPULATION AND
[PROPOSED] ORDER
CONTINUING HEARING DATE
AND EXTENDING BRIEFING
SCHEDULE

1 WHEREAS, on July 23, 2010, Plaintiffs Nokia Corporation and Nokia, Inc. (collectively,
2 “Nokia”) filed an amended complaint (the “Amended Complaint”) in the above-captioned action; and

3 WHEREAS, on August 27, 2010, Defendant Philips Electronics North America Corporation
4 (“PENAC”) filed a motion to dismiss the Amended Complaint (the “Motion to Dismiss”); and

5 WHEREAS, the return date for the Motion to Dismiss originally was designated to be
6 November 3, 2010; and

7 WHEREAS, on October 7, 2010, PENAC and Nokia entered into a standstill and tolling
8 agreement (the “Tolling Agreement”) to provide the parties with an opportunity to engage in
9 discussions regarding possible entry into a further tolling agreement and corresponding suspension of
10 the action as against PENAC; and

11 WHEREAS, on October 21, 2010, the Court approved an extension to the briefing schedule
12 and a continuance of the hearing date to allow for the parties to engage in discussions pursuant to the
13 Tolling Agreement; and

14 WHEREAS, the October 21, 2010 Order provided that (1) the hearing set for November 3,
15 2010 would be continued until January 13, 2011; (2) Nokia would file any opposition to the Motion to
16 Dismiss on or before December 2, 2010; and (3) PENAC would file any reply to Nokia’s opposition on
17 or before December 23, 2010; and

18 WHEREAS, on December 1, 2010, the Court approved a second extension to the briefing
19 schedule and a second continuance of the hearing date to allow for the parties to continue their
20 discussions pursuant to the Tolling Agreement; and

21 WHEREAS, the December 1, 2010 Order provided that (1) the hearing set for January 13, 2011
22 would be continued until February 18, 2011; (2) Nokia would file any opposition to the Motion to
23 Dismiss on or before December 21, 2010; and (3) PENAC would file any reply to Nokia’s opposition
24 on or before January 17, 2011; and

25 WHEREAS, on December 21, 2010, the Court approved a third extension to the briefing
26 schedule and a third continuance of the hearing date to allow for the parties to continue their
27 discussions pursuant to the Tolling Agreement; and

28 WHEREAS, the December 21, 2010 Order provided that (1) the hearing set for February 18,

1 2011 would be continued until February 25, 2011, or as soon thereafter as the Court could hear the
2 matter; (2) Nokia would file any opposition to the Motion to Dismiss on or before January 11, 2011;
3 and (3) PENAC would file any reply to Nokia's opposition on or before February 7, 2011;

4 WHEREAS, on January 10, 2011, the Court approved a fourth extension to the briefing
5 schedule and a fourth continuance of the hearing date to allow for the parties to continue their
6 discussions pursuant to the Tolling Agreement;

7 WHEREAS, the January 10, 2011 Order provided that (1) the hearing set for February 25, 2011
8 would be continued until March 25, 2011, or as soon thereafter as the Court could hear the matter; (2)
9 Nokia would file any opposition to the Motion to Dismiss on or before February 10, 2011; and (3)
10 PENAC would file any reply to Nokia's opposition on or before March 7, 2011;

11 WHEREAS, on March 1, 2011, the Court approved a fifth extension to the briefing schedule
12 and a fifth continuance of the hearing date to allow the parties to finalize the terms of their settlement
13 agreement;

14 WHEREAS, the March 1, 2011 Order provided that that (1) the hearing set for March 25, 2011
15 would be continued until May 6, 2011, or as soon thereafter as the Court could hear the matter; (2)
16 Nokia would file any opposition to the Motion to Dismiss on or before April 1, 2011; and (3) PENAC
17 would file any reply to Nokia's opposition on or before April 22, 2011;

18 WHEREAS, the parties have reached an agreement in principal to settle the matter and are in
19 the final stages of formalizing that agreement;

20 NOW THEREFORE, PENAC and Nokia, by and through their respective counsel, stipulate
21 and agree, subject to the Court's approval, that (1) the above-mentioned hearing currently set for May
22 6, 2011, shall be continued until June 24, 2011, or as soon thereafter as the Court may hear the matter;
23 (2) Nokia will file any opposition to the Motion to Dismiss on or before May 13, 2011; and
24 (3) PENAC will file any reply to Nokia's opposition on or before June 10, 2011.

25 IT IS SO ORDERED

26
27 DATED: 3/31/11



HONORABLE SUSAN ILLSTON

UNITED STATES DISTRICT JUDGE

1 Attestation: The filer of this document attests that the concurrence of the other signatories thereto has
2 been obtained.

3 Dated: March 31, 2011

4 /s/ B. Parker Miller
B. Parker Miller

5 STIPULATED AND AGREED TO BY:

6
7 Dated: March 31, 2011

8 /s/ Brendan P. Cullen
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14 *Counsel for Defendant*
15 *Philips Electronics North America Corporation*

16 Dated: March 31, 2011

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Attorneys for Plaintiffs Nokia Corporation and Nokia Inc.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

This Document Relates to: All Cases

NOKIA CORPORATION and
NOKIA INC.,

Plaintiffs,

v.

AU OPTRONICS CORPORATION et al.

Defendants.

CASE NO: 3:09-CV-5609

MDL FILE NO: 3:07-MD-1827-SI

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2011, I electronically filed the foregoing **STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING DATE AND EXTENDING BRIEFING SCHEDULE** with the Clerk of Court using the CM/ECF system which will automatically send email notification to the parties and counsel of record.

1 This 31st day of March, 2011.

2
3 By: /s/ B. Parker Miller
4 B. Parker Miller
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