

1 KENT M. ROGER, State Bar No. 95987  
 HERMAN J. HOYING, State Bar No. 257495  
 2 JENNIFER L. CALVERT, State Bar No. 258018  
 MORGAN, LEWIS & BOCKIUS LLP  
 3 One Market, Spear Street Tower  
 San Francisco, CA 94105-1126  
 4 Tel: 415.442.1000  
 Fax: 415.442.1001  
 5 E-mail: kroger@morganlewis.com  
 hhoying@morganlewis.com  
 6 jennifer.calvert@morganlewis.com

7 Attorneys for Defendants  
 8 HITACHI, LTD., HITACHI DISPLAYS, LTD.,  
 HITACHI ELECTRONIC DEVICES (USA), INC.

9 **[Additional defendants and counsel**  
 10 **listed on signature pages]**

11 UNITED STATES DISTRICT COURT  
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 13 (SAN FRANCISCO DIVISION)

14  
 15 IN RE TFT-LCD (FLAT PANEL)  
 ANTITRUST LITIGATION

Case No. M 3:07-md-1827 SI; MDL 1827  
 Individual Case No. 3:10-cv-0117 SI

16  
 17 This Document Relates To Individual Case No.:  
 3:10-cv-0117 SI

**STIPULATION AND ~~PROPOSED~~  
 ORDER REGARDING ANSWERS TO  
 AMENDED COMPLAINT**

18 ELECTROGRAPH SYSTEMS, INC.;  
 19 ELECTROGRAPH TECHNOLOGIES, CORP.  
 20 Plaintiffs,

**Honorable Susan Illston**

21 v.

22 EPSON IMAGING DEVICES CORPORATION,  
 et al.  
 23 Defendants.

24  
 25 WHEREAS, plaintiffs Electrograph Systems, Inc. and Electrograph Technologies, Corp.  
 26 (“Electrograph”) filed the above captioned lawsuit on November 6, 2009 (“Complaint”);  
 27  
 28

1 WHEREAS, defendants Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi Electronic Devices  
2 (USA), Inc., Epson Imaging Devices Corporation, Epson Electronics America, Inc., Sharp  
3 Corporation, Sharp Electronics Corporation, Toshiba Corporation, Toshiba America Electronic  
4 Components, Inc., Toshiba America Information Systems, Inc., Toshiba Mobile Display Co.,  
5 Ltd., LG Display Co., Ltd., LG Display America, Inc., AU Optronics Corporation, AU Optronics  
6 Corporation America, Samsung Electronics Company, Ltd., Samsung Semiconductor, Inc.,  
7 Samsung Electronics America, Inc. and HannStar Display Corporation (“Stipulating Defendants”)  
8 filed answers to the Complaint on March 15, 2010;

9 WHEREAS, pursuant to this Court’s order dated August 29, 2011 on Mitsui & Co.  
10 (Taiwan), Ltd.’s (“Mitsui Taiwan”) motion for judgment on the pleadings for lack of personal  
11 jurisdiction, which granted Electrograph “leave to amend its complaint to set forth its theory of  
12 jurisdiction” over Mitsui Taiwan (MDL Dkt. No. 3395), Electrograph filed an amended complaint  
13 on September 23, 2011 (“Amended Complaint”) identical to the Complaint with regard to  
14 allegations concerning the Stipulating Defendants, but adding allegations regarding defendant  
15 Mitsui Taiwan;

16 WHEREAS, response(s) to the Amended Complaint must be filed by October 10, 2011;

17 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the  
18 undersigned counsel, on behalf of their respective clients, Electrograph, on the one hand, and the  
19 Stipulating Defendants on the other hand, as follows:

20 1. Stipulating Defendants’ respective answers, filed on March 15, 2010, to the allegations  
21 in Electrograph’s Complaint are hereby deemed responsive to the corresponding allegations in  
22 Electrograph’s Amended Complaint and no further responsive pleading on behalf of the  
23 Stipulating Defendants to Electrograph’s Amended Complaint shall be required.

24 2. To the extent Electrograph’s Amended Complaint contains any additional or  
25 substantively revised allegations to which a response may be deemed to be required from the  
26 Stipulating Defendants, such allegations are hereby deemed denied.

1 Dated: October 5, 2011

2  
3 By: /s/ Kent M. Roger

4 Kent M. Roger (Bar No. 95987)  
5 Jennifer L. Calvert (Bar No. 258018)  
6 MORGAN LEWIS & BOCKIUS LLP  
7 One Market, Spear Street Tower  
8 San Francisco, CA 94105-1126  
9 (415) 442-1000 (Phone)  
10 (415) 442-1001 (Facsimile)  
11 *kroger@morganlewis.com*

12 *Attorneys for Defendants Hitachi, Ltd., Hitachi*  
13 *Displays, Ltd. and Hitachi Electronic Devices*  
14 *(USA), Inc.*

15 By: /s/ Michael R. Lazerwitz

16 Michael R. Lazerwitz (PRO HAC VICE)  
17 Jeremy J. Calsyn (Bar No. 205062)  
18 Lee F. Berger (Bar No. 222756)  
19 CLEARY GOTTlieb STEEN & HAMILTON  
20 LLP  
21 One Liberty Plaza  
22 New York, NY 10006  
23 (212) 225-2000 (Phone)  
24 (212) 225-3999 (Facsimile)  
25 *mlazerwitz@cgsh.com*

26 *Attorneys for Defendants LG Display Co., Ltd.*  
27 *and LG Display America, Inc.*

28 By: /s/ Christopher A. Nedeau

Christopher A. Nedeau  
Carl L. Blumenstein  
Allison Dibley  
NOSSAMAN LLP  
50 California Street, 34th Floor  
San Francisco, CA 94111  
(415) 398-3600 (Phone)  
(415) 398-2438 (Facsimile)  
*cnedeau@nossaman.com*

*Attorneys for Defendants AU Optronics*  
*Corporation and AU Optronics Corporation*  
*America*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: /s/ Melvin R. Goldman  
Melvin R. Goldman (Bar No. 34097)  
Stephen P. Freccero (Bar. No 131093)  
Derek F. Foran (Bar No. 224569)  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, CA 94105-2482  
(415) 268-7000 (Phone)  
(415) 268-7522 (Facsimile)  
*sfreccero@mofo.com*

*Attorneys for Defendants Epson Imaging  
Devices Corporation and Epson Electronics  
America, Inc.*

By: /s/ Hugh F. Bangasser  
Hugh F. Bangasser (*pro hac vice*)  
Ramona M. Emerson (*pro hac vice*)  
K&L GATES LLP  
925 Fourth Avenue, Suite 2900  
Seattle, WA 98004-1158  
(206) 623-7580 (Phone)  
(206) 623-7022 (Facsimile)  
*Ramona.Emerson@klgates.com*

Jeffrey L. Bornstein (Bar No. 99358)  
K&L GATES LLP  
Four Embarcadero Center, Suite 1200  
San Francisco, CA 94111  
(415) 249-1059 (Phone)  
(415) 882-8220 (Facsimile)

*Counsel for Defendant HannStar Display  
Corporation*

By: /s/ Robert Wick  
Robert Wick (*pro hac vice*)  
Neil Roman (*pro hac vice*)  
Derek Ludwin (*pro hac vice*)  
COVINGTON & BURLING LLP  
1201 Pennsylvania Ave., NW  
Washington, DC 20004  
(202) 662-6000 (Phone)  
(202) 662-6291 (Facsimile)  
*rwick@cov.com*

*Attorneys for Defendants Samsung  
Electronics Co., Ltd., Samsung  
Semiconductor, Inc. and Samsung Electronics  
America, Inc.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: /s/ John M. Grenfell  
John M. Grenfell (Bar No. 88500)  
Jacob R. Sorensen (Bar No. 209134)  
Fusae Nara (*pro hac vice*)  
Andrew D. Lanphere (Bar No. 191479)  
PILLSBURY WINTHROP SHAW PITTMAN  
LLP  
50 Fremont Street  
San Francisco, CA 94105  
(415) 983-1000 (Phone)  
(415) 983-1200 (Facsimile)  
[john.grenfell@pillsburylaw.com](mailto:john.grenfell@pillsburylaw.com)  
  
*Attorneys for Defendants Sharp Corporation and  
Sharp Electronics Corp.*

By: /s/ John H. Chung  
John H. Chung (*pro hac vice*)  
WHITE & CASE LLP  
1155 Avenue of the Americas  
New York, NY 10036-2787  
(212) 819-8200 (Phone)  
(212) 354-8113 (Facsimile)  
[jchung@whitecase.com](mailto:jchung@whitecase.com)  
  
Christopher M. Curran (*pro hac vice*)  
Kristen J. McAhren (*pro hac vice*)  
WHITE & CASE LLP  
701 Thirteenth Street, NW  
Washington, DC 20005-3807  
(202) 626-3600 (Phone)  
(202) 639-9355 (Facsimile)  
[ccurran@whitecase.com](mailto:ccurran@whitecase.com)  
[kmcahren@whitecase.com](mailto:kmcahren@whitecase.com)

*Attorneys for Defendants Toshiba Corporation,  
Toshiba Mobile Display Co., Ltd., Toshiba  
America Electronic Components, Inc. and  
Toshiba America Information Systems, Inc.*

By: /s/ Philip J. Iovieno  
Philip J. Iovieno (*pro hac vice*)  
BOIES, SCHILLER & FLEXNER LLP  
10 North Pearl Street, 4th Floor  
Albany, NY 12207  
(518) 434-0600  
(518) 434-0665  
[piovieno@bsflp.com](mailto:piovieno@bsflp.com)  
  
*Attorneys for Plaintiffs Electrograph Systems,  
Inc. and Electrograph Technologies, Corp.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**FILER'S ATTESTATION**

I, Kent M. Roger, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order. In compliance with General Order 45.X.B, I hereby attest that Michael Lazertwitz, Christopher Nedeau, Melvin Goldman, Hugh Bangasser, Robert Wick, John Grenfell, John Chung, and Philip Iovieno concur in this filing.

/s/ Kent M. Roger  
Kent M. Roger

*Attorneys for Defendants Hitachi, Ltd., Hitachi Displays, Ltd., and Hitachi Electronic Devices (USA), Inc.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

Pursuant to the parties' stipulation set forth above and pursuant to Rule 6-1(a) of the Civil  
Local Rules, IT IS SO ORDERED.

Dated: October 6, 2011

By   
\_\_\_\_\_  
HON. SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE