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6 Attorneys for Plaintiff and
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 7 JAIME PORIS

Attorneys for Defendant and
 Counterclaimant
 NOVELLUS SYSTEMS, INC.

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 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 JAIME PORIS,
 14 Plaintiff and Counterclaim-Defendant
 15 v.
 16 NOVELLUS SYSTEMS, INC.,
 17 Defendant and Counterclaimant.

Case No. CV 10-0947 JSW

**JOINT STIPULATION
 REGARDING AMENDMENT
 OF THE PARTIES' CONTENTIONS
 UNDER PATENT L.R. 3-6
 AND ORDER THEREON**

19
 20 WHEREAS, on June 25, 2010, Plaintiff and Counterclaim-Defendant Jaime Poris
 21 ("Poris") served his Claim Chart Under Patent L.R. 3-1(c) as Exhibit A to Poris' Disclosure of
 22 Asserted Claims and Infringement Contentions ("6/25/2010 Infringement Contentions");

23 WHEREAS, counsel for Poris and counsel for Defendant and Counterclaimant Novellus
 24 Systems, Inc. ("Novellus") met and conferred regarding Novellus' allegation that Poris'
 25 6/25/2010 Infringement Contentions are lacking the requisite specificity called for in Patent L.R.
 26 3-1(c) in connection with certain limitations of the asserted claim;

1 WHEREAS, the parties disagree as to the merit of Novellus' allegations, but Poris has
2 agreed to voluntarily amend his 6/25/2010 Infringement Contentions in order to provide the
3 additional specificity that Novellus seeks;

4 WHEREAS, Poris' proposed amendments are based, in part, on documents that Novellus
5 has recently produced, which were not available to Poris at the time that Poris served his
6 6/25/2010 Infringement Contentions;

7 WHEREAS, Novellus served its Invalidity Contentions under Patent L.R. 3-3
8 ("Invalidity Contentions") on August 9, 2010 (five days after first being provided with a copy of
9 Poris' proposed amendments on August 4, 2010), and therefore did not have sufficient time to
10 complete its review and analysis of Poris' proposed amendments before serving its Invalidity
11 Contentions;

12 WHEREAS, Novellus and Poris agree that Novellus' allegation regarding the sufficiency
13 of Poris' 6/25/2010 Infringement Contentions constitutes good cause for Poris to amend his
14 Infringement Contentions;

15 WHEREAS, Novellus and Poris agree that Poris' amendment of his 6/25/2010
16 Infringement Contentions constitutes good cause for Novellus to amend its Invalidity
17 Contentions;

18 WHEREAS, such amendments shall not delay the schedule set in this case;

19 NOW, THEREFORE, the parties stipulate to the following:

20 (1) Poris may serve an amendment to his 6/25/2010 Infringement Contentions,
21 entitled Poris' First Amended Infringement Contentions, along with Poris First Amended Claim
22 Chart under Patent L.R. 3-1(c) at Exhibit A thereto (which have been provided to Novellus in
23 advance of this filing); and

24 (2) Novellus has the right to amend its Invalidity Contentions on or before August 27,
25 2010 in response to Poris' First Amended Infringement Contentions and Claim Chart.
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1 Respectfully stipulated to by:

2 KING & KELLEHER, LLP

IRELL & MANELLA LLP

3 By: /s/ Alvin B. Lindsay
4 Alvin B. Lindsay

By: /s/ Blake B. Greene
Blake B. Greene

5 Attorneys for Plaintiff and Counterclaim-
6 Defendant Jaime Poris

Attorneys for Defendant and Counterclaimant
Novellus Systems, Inc.

7 Date: August 13, 2010

Date: August 13, 2010

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9 **ATTESTATION OF CONCURRENCE**

10 I hereby attest that concurrence in the filing of the document has been obtained from the
11 other signatory.

12 By: /s/ Alvin B. Lindsay
13 Alvin B. Lindsay

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

15 DATED: August 13, 2010

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18 Hon. Jeffrey S. White
United States District Judge

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