

1 in support of the motion is due May 30, 2012;

2 WHEREAS, under the current briefing schedule pursuant to Rule 7-3 of the Civil Local
3 Rules for the United States District Court, Northern District of California, Novellus' response to
4 Poris' Motion for Partial Summary Judgment is due May 18, 2012 and Poris' reply in support of
5 the motion is due May 25, 2012;

6 WHEREAS, the hearing on both motions is currently scheduled for June 15, 2012;

7 WHEREAS, the parties agree that the current briefing and hearing schedule does not
8 provide a sufficient amount of time for the parties to conduct discovery related to the motions
9 and for the parties to prepare their respective response and reply briefs;

10 NOW, THEREFORE, the parties stipulate to the following: Poris' response to Novellus'
11 Motion for Summary Judgment of Non-Infringement shall be due by July 20, 2012; Novellus'
12 reply in support of its Motion for Summary Judgment of Non-Infringement shall be due by
13 August 17, 2012; Novellus' response to Poris' Motion for Partial Summary Judgment shall be
14 due by July 20, 2012; Poris' reply in support of his Motion for Partial Summary Judgment shall
15 be due by August 17, 2012; Novellus' shall file any Motion to Strike Poris' Motion for Partial
16 Summary Judgment by May 11, 2012; Poris' opposition to Novellus' Motion to Strike shall be
17 due by July 20, 2012; and Novellus' reply in support of its Motion to Strike shall be due by
18 August 17, 2012. The hearing on all motions referenced herein shall be rescheduled for
19 September 14, 2012 at 9:00 a.m. The parties further stipulate that this stipulation is premised on
20 the parties' mutual assumption that necessary discovery will be obtained without recourse to the
21 Court and without undue delay because of witness unavailability. The parties agree that either
22 party may seek further modification of this schedule from the Court in the event of unforeseen
23 discovery delays.

1 Respectfully stipulated to by:

2 KING & KELLEHER, LLP

IRELL & MANELLA LLP

3 By: /s/ Edward Vincent King, Jr.
4 Edward Vincent King, Jr.

By: /s/ Justin E. Klaeb
Justin E. Klaeb

5 Attorneys for Plaintiff and
6 Counterclaim-Defendant
7 JAIME PORIS

Attorneys for Defendant and Counterclaimant
NOVELLUS SYSTEMS, INC.

8 Date: May 9, 2012

Date: May 9, 2012

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 /s/ Edward Vincent King, Jr.
13 Edward Vincent King, Jr.

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

15 DATED: May 10, 2012

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18 Hon. Jeffrey S. White
19 United States District Judge

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