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 6 *USA, Inc., and CMO Japan Co., Ltd.*

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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 (SAN FRANCISCO DIVISION)

11 STATE OF OREGON, *ex rel.* John Kroger,  
 12 Attorney General,  
 13  
 14 v.  
 15 AU OPTRONICS CORPORATION, *et al.*,  
 16  
 17 Defendants.

This Document Relates to Individual Case  
 No. 3:10-cv-4346 SI  
 Master File No. 3:07-md-1827  
 MDL No. 1827

**STIPULATION AND [~~PROPOSED~~] ORDER  
 REGARDING TIME TO RESPOND TO  
 AMENDED COMPLAINT**

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1           WHEREAS plaintiff State of Oregon (“Oregon”) filed the above captioned lawsuit on  
2 August 10, 2010;

3           WHEREAS Oregon filed a first amended complaint on April 15, 2011 (“Amended  
4 Complaint”);

5           WHEREAS Defendants Chi Mei Corporation, Chimei Innolux Corporation, CMO Japan  
6 Co., Ltd., and Chi Mei Optoelectronic USA, Inc. (collectively, the “Chimei Defendants”) jointly  
7 filed with other defendants a motion to dismiss Count III in its entirety and Count IV to the extent  
8 it seeks “disgorgement of profits” as a remedy on June 6, 2011;

9           WHEREAS the Court denied Defendants’ joint motion to dismiss Counts III and IV of the  
10 Amended Complaint on July 12, 2011;

11           WHEREAS the Chimei Defendants entered into a stipulation with Oregon on October 24,  
12 2012 that the Chimei Defendants’ deadline to answer the Amended Complaint is December 12,  
13 2012;

14           WHEREAS on October 29, 2012, the Court entered an order extending the Chimei  
15 Defendants’ deadline to answer the Amended Complaint until December 12, 2012;

16           WHEREAS the Chimei Defendants have reached agreement on the terms of settlement  
17 with Oregon;

18           WHEREAS postponing indefinitely the Chimei Defendants’ time to respond to the  
19 Amended Complaint will not alter the date of any other event or deadline already fixed by the  
20 Court;

21           NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the  
22 undersigned counsel, on behalf of their respective clients, Oregon, on the one hand, and the  
23 Chimei Defendants on the other hand, as follows:

24           The time for the Chimei Defendants to respond to the Amended Complaint shall be  
25 extended and a response shall not be required unless the Chimei Defendants/Oregon Settlement  
26 Agreement is judicially rejected or lawfully rescinded. If rejection or rescission of the Chimei  
27 Defendants/Oregon Settlement Agreement occurs, the Chimei Defendants and Oregon promptly  
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1 will ask the Court to determine the date by which the Chimei Defendants must respond to the  
2 Amended Complaint.

3  
4 Dated: December 12, 2012

HAGLUND KELLEY HORNGREN JONES & WILDER  
LLP

5  
6 /s/ Michael K. Kelley

Michael E. Haglund (SBN 772030)

Michael K. Kelley (SBN 853782)

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21 /s/ Harrison J. Frahn IV

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**FILER'S ATTESTATION**

I, Harrison J. Frahn IV, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order. In compliance with Local Rule 5-1(i)(3), I hereby attest that Michael M. Kelley concurs in this filing.

/s/ Harrison J. Frahn IV

Harrison J. Frahn IV

*Attorneys for Defendants Chi Mei Corporation,  
Chimei Innolux Corporation, Chi Mei Optoelectronics USA,  
Inc., and CMO Japan Co., Ltd.*

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**[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: December 13, 2012

By   
HON. SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE