

1 (All parties and counsel listed on Signature Page)

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAMBUS INC.,

Plaintiff,

v.

LSI CORPORATION,

Defendant.

Case No. 3:10-cv-05446 RS

STIPULATION RE EXPERT WITNESSES

Judge: Hon. Richard Seeborg
Courtroom 3, 17th Floor

Special Master: Hon. Vaughn R. Walker (Ret.)

RAMBUS INC.,

Plaintiff,

v.

STMICROELECTRONICS N.V.;
STMICROELECTRONICS INC.,

Defendants.

Case No. 3:10-cv-05449 RS

1 The parties, through their undersigned counsel of record, hereby agree as follows:

2 1. "Designating Party," "Protected Material," and "Expert" have the definitions set forth
3 in the Amended Protective Order filed in these cases on March 14, 2012 (the "Protective Order").

4 2. Unless otherwise ordered by the court or agreed in writing by the Designating Party, a
5 Party that seeks to disclose to an Expert any Protected Material first must make a written request
6 to the Designating Party that (a) sets forth the full name of the Expert and the city and state of his
7 or her primary residence, (b) attaches a copy of the Agreement to be Bound by Protective Order,
8 in the form provided in Exhibit A to the Protective Order, signed by the Expert, (c) attaches a
9 copy of the Expert's current resume, (d) identifies the Expert's current and former employer(s)
10 for the past ten (10) years, and (e) identifies (by name and number of the case, filing date, and
11 location of court) any litigation in connection with which the Expert has provided any
12 professional services during the preceding four years.¹

13 3. A Party that makes a request and provides the information specified in the preceding
14 paragraph may disclose the subject Protected Material to the identified Expert unless, within
15 seven (7) court days of delivering the request, the Party receives a written objection from the
16 Designating Party. Any such objection must set forth in detail the grounds on which it is based.

17 4. A Party that receives a timely written objection must meet and confer with the
18 Designating Party to try to resolve the matter by agreement within five (5) days of the written
19 objection. If no agreement is reached, the Party seeking to make the disclosure to the Expert may
20 file a motion as provided in Civil Local Rule 7 seeking permission from the Court to do so. Any
21 such motion must describe the circumstances with specificity, set forth in detail the reasons for
22 which the disclosure to the Expert is reasonably necessary, assess the risk of harm that the
23 disclosure would entail and suggest any additional means that might be used to reduce that risk.
24 In addition, any such motion must be accompanied by a declaration in which the movant

25 _____
26 ¹ If the Expert believes any of this information is subject to a confidentiality obligation to a third-
27 party, then the Expert should provide whatever information the Expert believes can be disclosed
28 without violating any confidentiality agreements, and the Party seeking to disclose to an Expert
(1) shall immediately notify the Designating Party that this information is subject to a
confidentiality obligation to a third party, and (2) shall be available to meet and confer with the
Designating Party regarding any such engagement.

1 describes the parties' efforts to resolve the matter by agreement (i.e., the extent and the content of
2 the meet and confer discussions) and sets forth the reasons advanced by the Designating Party for
3 its refusal to approve the disclosure.

4 5. In any such proceeding the Party opposing disclosure to the Expert shall bear the
5 burden of proving that the risk of harm that the disclosure would entail (under the safeguards
6 proposed) outweighs the Receiving Party's need to disclose the Protected Material to its Expert.

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DATED: April 25, 2012

MUNGER, TOLLES & OLSON LLP

By: /s/ Peter A. Detre
Peter A. Detre

Attorneys for Plaintiff
RAMBUS INC.

DATED: April 25, 2012

KILPATRICK TOWNSEND & STOCKTON LLP

By: /s/ Jonathan D. Link
Jonathan D. Link

Attorneys for Defendant
LSI CORPORATION

