

1 William A. Isaacson (admitted *pro hac vice*)
 2 BOIES, SCHILLER & FLEXNER LLP
 3 5301 Wisconsin Ave. NW, Suite 800
 4 Washington, D.C. 20015
 Telephone: (202) 237-2727
 Facsimile: (202) 237-6131
 Email: wisaacson@bsfllp.com

5 Philip J. Iovieno (admitted *pro hac vice*)
 6 Anne M. Nardacci (admitted *pro hac vice*)
 7 Christopher V. Fenlon (admitted *pro hac vice*)
 8 BOIES, SCHILLER & FLEXNER LLP
 9 10 North Pearl Street, 4th Floor
 Albany, NY 12207
 Telephone: (518) 434-0600
 Facsimile: (518) 434-0665
 Email: piovieno@bsfllp.com
 anardacci@bsfllp.com
 cfenlon@bsfllp.com

11 *Counsel for Plaintiffs*
 12 METROPCS WIRELESS, INC.

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 In re: TFT-LCD (FLAT PANEL)
 ANTITRUST LITIGATION

17 This Document Relates To Individual Case
 No. 3: 11-cv-00829-SI (N.D. Cal.)

18 METROPCS WIRELESS, INC.,

19 Plaintiff,

20 vs.

21 AU OPTRONICS CORPORATION, et al.,

22 Defendants.

23

24

Case No. 3: 11-cv-00829-SI (N.D. Cal.)

Master File No. 3:07-md-01827-SI (N.D. Cal.)

MDL No. 1827

**STIPULATION AND ~~PROPOSED~~
 ORDER TO RESECHEDULE HEARING
 ON DEFENDANTS' INDIVIDUAL AND
 JOINT MOTIONS TO DISMISS**

1 WHEREAS, on July 8, 2011, Plaintiff MetroPCS Wireless, Inc. (“MetroPCS”) filed an
2 amended complaint in the above-captioned case (MDL Dkt. No. 3064) (“Amended Complaint”);

3 WHEREAS, on August 5, 2011 defendants AU Optronics Corporation, AU Optronics
4 Corporation America, Chi Mei Optoelectronics Corporation, Chi Mei Optoelectronics USA, Inc.,
5 CMO Japan Co., Ltd., Chunghwa Picture Tubes, Ltd., Epson Electronics America, Inc., Epson
6 Imaging Devices Corporation, HannStar Display Corporation, Hitachi Electronic Devices (USA),
7 Inc., Hitachi, Ltd., Hitachi Displays, Ltd., Mitsui & Co. (Taiwan), Ltd. (“Mitsui Taiwan”), Sanyo
8 Consumer Electronics Co., Ltd. (“Sanyo”), Sharp Corporation, Sharp Electronics Corporation,
9 Tatung Company of America, Inc., Toshiba America Electronic Components, Inc., Toshiba
10 America Information Systems, Inc., Toshiba Corporation, and Toshiba Mobile Display Co., Ltd.
11 (collectively, “Moving Defendants”), filed a joint motion to dismiss MetroPCS’ Amended
12 Complaint (MDL Dkt. No. 3225) (“Joint Motion”);

13 WHEREAS, on August 5, 2011, Mitsui Taiwan and Sanyo filed separate motions to
14 dismiss MetroPCS’ Amended Complaint (MDL Dkt. Nos. 3218 and 3231, respectively)
15 (collectively, together with the Joint Motion, “Motions”);

16 WHEREAS, the Motions are scheduled to be heard on October 7, 2011;

17 WHEREAS, counsel for MetroPCS has a conflict with another matter on October 7, 2011;
18 and

19 WHEREAS, counsel for Sanyo, Mitsui Taiwan, and Moving Defendants have agreed to
20 reschedule the hearing for October 28, 2011.

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

- 24 1. The Motions shall be heard on October 28, 2011.
25
26
27
28

1 DATED: October 5, 2011

2 /s/ William A. Isaacson
3 William A. Isaacson (admitted *pro hac vice*)
4 BOIES, SCHILLER & FLEXNER LLP
5 5301 Wisconsin Ave. NW, Suite 800
6 Washington, D.C. 20015
7 Telephone: (202) 237-2727
8 Facsimile: (202) 237-6131
9 Email: wisaacson@bsflp.com

10 Philip J. Iovieno (admitted *pro hac vice*)
11 Anne M. Nardacci (admitted *pro hac vice*)
12 Christopher V. Fenlon (admitted *pro hac vice*)
13 BOIES, SCHILLER & FLEXNER LLP
14 10 North Pearl Street, 4th Floor
15 Albany, NY 12207
16 Telephone: (518) 434-0600
17 Facsimile: (518) 434-0665
18 Email: piovieno@bsflp.com
19 anardacci@bsflp.com
20 cfenlon@bsflp.com

21 *Counsel for Plaintiff MetroPCS Wireless, Inc.*

22 /s/ Christopher A. Nedeau
23 Christopher A. Nedeau (CA Bar No. 81297)
24 Carl L. Blumenstein (CA Bar No. 124158)
25 Katharine Chao (CA Bar No. 247571)
26 NOSSAMAN LLP
27 50 California Street, 34th Floor
28 San Francisco, California 94111-4799
(415) 398-3600 (Phone)
(415) 398-2438 (Facsimile)
cnedeau@nossaman.com
cblumenstein@nossaman.com
kchao@nossaman.com

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

29 /s/ Neal A. Potischman
30 Christopher B. Hockett (SBN 121539)
31 Neal A. Potischman (SBN 254862)
32 Sandra West (SBN 250389)
33 Samantha H. Knox (SBN 254427)
34 DAVIS POLK & WARDWELL LLP
35 1600 El Camino Real
36 Menlo Park, California 94025
37 (650) 752-2000 / (650) 752-2111
38 chris.hockett@davispolk.com
neal.potischman@davispolk.com
sandra.west@davispolk.com
samantha.knox@davispolk.com

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

Jonathan D. Martin (admitted pro hac vice)
Bradley R. Hansen (admitted pro hac vice)
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017
(212) 450-4000 / (212) 701-5800
jonathan.martin@davispolk.com
bradley.hansen@davispolk.com

*Counsel for Defendants Chimei Innolux Corporation
(f/k/a Chi Mei Optoelectronics Corp.), Chi Mei
Optoelectronics USA, Inc., and CMO Japan Co., Ltd.*

/s/ Stephen P. Freccero

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

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

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

/s/ Ramona M. Emerson
Hugh F. Bangasser (*pro hac vice*)
Ramona M. Emerson (*pro hac vice*)
Christopher M. Wyant (*pro hac vice*)
K&L GATES LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98104
(206) 623-7580 (Phone)
(206) 370-6371 (Facsimile)
romana.emerson@klgates.com

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

Counsel for Defendant HannStar Display Corporation

/s/ Kent M. Roger
Kent M. Roger (CA Bar No. 95987)
Michelle Kim-Szrom (CA Bar No. 252901)
Jennifer L. Calvert (CA Bar No. 258018)
MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1126
(415) 442-1000 (Phone)
(415) 442-1001 (Facsimile)
kroger@morganlewis.com
mkim-szrom@morganlewis.com
jennifer.calvert@morganlewis.com

*Counsel 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

/s/ Michael E. Mumford

Paul P. Eyre
Ernest E. Vargo
Michael E. Mumford
BAKER & HOSTETLER LLP
PNC Center
1900 East Ninth Street, Suite 3200
Cleveland, Ohio 44114-3482
(216) 621-0200 (Phone)
(216) 696-0740 (Facsimile)
peyre@bakerlaw.com
evargo@bakerlaw.com
mmumford@bakerlaw.com

Counsel for Defendant Mitsui & Co. (Taiwan), Ltd.

/s/ Allison A. Davis

Allison A. Davis (CA Bar No. 139203)
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800
San Francisco, CA 94111-6533
(415) 276-6500 (Phone)
(415) 276-6599 (Facsimile)
allisondavis@dwt.com

Nick S. Verwolf (*pro hac vice*)
DAVIS WRIGHT TREMAINE LLP
777 – 108th Ave. N.E., Suite 2300
Bellevue, WA 98004
(425) 646-6125 (Phone)
(425) 646-6199 (Facsimile)
nickverwolf@dwt.com

Counsel for Defendant Sanyo Consumer Electronics Co., Ltd.

/s/ Jacob R. Sorensen

John M. Grenfell (CA Bar No. 88500)
Jacob R. Sorensen (CA Bar No. 209134)
Fusae Nara (*pro hac vice*)
PILLSBURY WINTHROP SHAW PITTMAN LLP
50 Fremont Street
San Francisco, CA 94105
(415) 983-1000 (Phone)
(415) 983-1200 (Facsimile)
john.grenfell@pillsburylaw.com
jake.sorensen@pillsburylaw.com
fusae.nara@pillsburylaw.com

Counsel for Defendants Sharp Corporation and Sharp Electronics Corporation

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

/s/ Rachel S. Brass

Rachel S. Brass
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-2933
(415) 393-8200 (Phone)
(415) 393-8306 (Facsimile)
rbrass@gibsondunn.com

*Counsel for Defendants Chunghwa Picture Tubes, Ltd.
and Tatung Company of America, Inc.*

/s/ John H. Chung

John H. Chung
WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036-2787
(212) 819-8200 (Phone)
(212) 354-8113 (Facsimile)
jchung@whitecase.com

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

Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of
this document has been obtained from stipulating defendants.

IT IS SO ORDERED.

Dated: 10/5, 2011



Susan Illston, United States District Judge