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12
 13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

17 T-MOBILE U.S.A., INC.,)
 18 Plaintiff,)
 19 v.)
 20 AU OPTRONICS CORPORATION, et al.,)
 21 Defendants.)

CASE NO. 11-cv-2591-SI
 LEAD CASE NO. M:07-cv-1827-SI

**STIPULATION OF
 EXTENSION OF TIME TO RESPOND
 TO COMPLAINT,
 WAIVER OF SERVICE, AND
 [PROPOSED] ORDER**

Honorable Susan Y. Illston

1 WHEREAS the undersigned counsel, on behalf of plaintiff T-Mobile U.S.A., Inc. (“T-
2 Mobile”), filed a complaint in the above-captioned case against Philips Electronics North America
3 Corporation (“PENAC”), among other defendants, on April 18, 2011 (“Complaint”);

4 WHEREAS T-Mobile wishes to avoid the burden and expense of serving process on
5 PENAC;

6 WHEREAS PENAC desires a reasonable amount of time to respond to the Complaint;

7 WHEREAS T-Mobile and multiple defendants (“Stipulating Defendants”), not including
8 PENAC, in the above-captioned case executed the *Corrected Stipulation of Extension of Time to*
9 *Respond to Complaint, Waiver of Service, and [Proposed] Order* stipulation (Dkt. #25) on June 17,
10 2011, for which an Order (Dkt. #26) was signed by this Court on June 28, 2011, extending the deadline
11 to move to dismiss, answer, or otherwise respond to the Complaint to 90 days from the execution of that
12 stipulation, subject to Federal Rule of Civil Procedure 6(a)(1); and

13 WHEREAS T-Mobile and PENAC believe that proceeding on a response date unified
14 with the aforementioned Stipulating Defendants will create efficiency for the Court and the parties by
15 reducing duplicative motion practice;

16 THEREFORE, T-Mobile and PENAC hereby agree:

17 1. PENAC waives service of the Complaint under Federal Rule of Civil Procedure
18 4(d). This stipulation does not constitute a waiver by PENAC of any other substantive or procedural
19 defense, including but not limited to the defense of lack of personal or subject matter jurisdiction and
20 improper venue.

21 2. PENAC’s deadline to move to dismiss, answer, or otherwise respond to the
22 Complaint will be 90 days from the execution of the *Corrected Stipulation of Extension of Time to*
23 *Respond to Complaint, Waiver of Service, and [Proposed] Order* stipulation (Dkt. #25), subject to
24 Federal Rule of Civil Procedure 6(a)(1).

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1 DATED this 4th day of August, 2011

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Counsel for Plaintiff T-Mobile U.S.A., Inc.

1 SO ORDERED this 5TH day of AUGUST, 2011.

2
3
4 By: 

5 Honorable Susan Y. Illston

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8 I, Brendan P. Cullen, am the ECF User whose ID and password are being used to file this
9 Stipulation of Extension of Time to Respond to Complaint, Waiver of Service, and [Proposed] Order.
10 In compliance with General Order 45, X.B., I hereby attest that Parker C. Folsie III has concurred in this
11 filing.

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13 Dated: August 4, 2011

14 */s/ Brendan P. Cullen*
15 Brendan P. Cullen