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10 *Attorneys for Philips Electronics North America Corporation*

11  
 12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**  
 14 **SAN FRANCISCO DIVISION**

15 IN RE TFT-LCD (FLAT PANEL)  
 ANTITRUST LITIGATION )  
 16 )  
 17 This Document Relates to: )  
 Case No. 11-cv-2591 )  
 18 T-MOBILE U.S.A., INC., )  
 19 Plaintiff, )  
 20 v. )  
 21 AU OPTRONICS CORPORATION, *et al.*, )  
 22 Defendants. )  
 23 )  
 24 )  
 25 )  
 26 )  
 27 )  
 28 )

Master File No. M07-1827 SI  
 MDL No. 1827  
 Case No. 11-cv-2591  
**PHILIPS ELECTRONICS NORTH  
 AMERICA CORPORATION'S  
 REQUEST FOR JUDICIAL NOTICE**  
 Judge: The Hon. Susan Illston  
 Courtroom: 10, 19th Floor  
 Hearing Date: October 28, 2011  
 Hearing Time: 9:00 a.m.

1 **REQUEST FOR JUDICIAL NOTICE**

2 Pursuant to Rule 201 of the Federal Rules of Evidence, Philips Electronics North  
3 America Corporation (“PENAC”) respectfully requests that this Court take judicial notice of the  
4 following fact in support of PENAC’s Motion to Dismiss T-Mobile U.S.A., Inc.’s Complaint:

- 5 • PENAC is incorporated under the laws of the State of Delaware.

6 The state of incorporation of an entity is a proper subject of judicial notice. Federal Rule  
7 of Evidence 201(b) provides for judicial notice of facts that are “not subject to reasonable dispute in that  
8 [they] are either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of  
9 accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.”  
10 Fed. R. Evid. 201(b); *see also MGIC Indem. Corp. v. Weisman*, 803 F.2d 500, 504 (9th Cir. 1986)  
11 (holding that a court may take judicial notice of matters of public record); *Mukamal v. Bakes*, 383 B.R.  
12 798, 818 n.21 (S.D. Fla. 2007) (taking judicial notice of state of incorporation in determining to apply  
13 Delaware law in motion to dismiss).

14 Attached hereto as Exhibit A is a true and correct copy of the entity search results for  
15 “Philips Electronics North America Corporation” on the web-site of the Department of State, Division  
16 of Corporations for the State of Delaware, indicating that PENAC is incorporated in Delaware.

17 For the foregoing reasons, PENAC respectfully requests that this Court take judicial  
18 notice that its state of incorporation is the State of Delaware.

1 Dated: September 15, 2011

Respectfully submitted,

3 */s/ Brendan P. Cullen*

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