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9 AU OPTRONICS CORPORATION AMERICA, INC.

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11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

13 IN RE TFT-LCD (FLAT PANEL)
14 ANTITRUST LITIGATION

15 This Document Relates to:
Case C 3:11-02591 SI

16 T-MOBILE U.S.A., INC.,
17 Plaintiff,

18 v.

19 AU OPTRONICS CORPORATION; AU
20 OPTRONICS CORPORATION AMERICA, INC.;
21 CHI MEI CORPORATION; CHIMEI INNOLUX
CORPORATION; CHI MEI
22 OPTOELECTRONICS USA, INC.; CMO JAPAN
CO. LTD.; NEXGEN MEDIATECH, INC.;
23 NEXGEN MEDIATECH USA, INC.;
24 CHUNGHWA PICTURE TUBES LTD.; TATUNG
COMPANY; TATUNG COMPANY OF
25 AMERICA, INC.; SEIKO EPSON
CORPORATION; EPSON IMAGING DEVICES
26 CORPORATION; EPSON ELECTRONICS
AMERICA, INC.; HANNSTAR DISPLAY
27 CORPORATION; HITACHI, LTD.; HITACHI
DISPLAYS, LTD.; HITACHI ELECTRONIC
28 DISPLAYS (USA), INC.; LG DISPLAY CO.
LTD.; LG DISPLAY AMERICA, INC.; PHILIPS
ELECTRONICS NORTH AMERICA
CORPORATION; SAMSUNG ELECTRONICS

Master File No. C M:07-01827 SI

Individual Case No. C 3:11-02591 SI

MDL NO. 1827

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
PLAINTIFF TO FILE FIRST AMENDED
COMPLAINT**

1 CO., LTD.; SAMSUNG SEMICONDUCTOR,
2 INC.; SAMSUNG ELECTRONICS AMERICA,
3 INC.; SAMSUNG SDI CO., LTD.; SAMSUNG
4 SDI AMERICA, INC.; SANYO CONSUMER
5 ELECTRONICS, LTD.; SHARP CORPORATION;
6 SHARP ELECTRONICS CORPORATION;
7 TOSHIBA CORPORATION; TOSHIBA
8 AMERICA ELECTRONICS COMPONENTS,
9 INC.; TOSHIBA MOBILE DISPLAY
10 TECHNOLOGY CO., LTD.; TOSHIBA
11 AMERICA INFORMATION SYSTEMS, INC.,

12 Defendants.

13 WHEREAS, plaintiff T-Mobile U.S.A., Inc. (“T-Mobile”), filed a complaint in the above-
14 captioned case against defendants AU Optronics Corporation, AU Optronics Corporation America, Chi
15 Mei Corporation, Chimei Innolux Corporation, Chi Mei Optoelectronics USA, Inc., CMO Japan Co.,
16 Ltd., Nexgen Mediatech, Inc., Nexgen Mediatech, USA, Inc., Chunghwa Picture Tubes Ltd., Tatung
17 Company, Tatung Company of America, Inc., Seiko Epson Corporation, Epson Imaging Devices
18 Corporation, Epson Electronics America, Inc., HannStar Display Corporation, Hitachi, Ltd., Hitachi
19 Displays, Ltd., Hitachi Electronic Devices (USA), Inc., LG Display Co., Ltd., LG Display America,
20 Inc., Philips Electronics North America Corporation, Samsung Electronics Co., Ltd., Samsung
21 Semiconductor, Inc., Samsung Electronics America, Inc., Samsung SDI Co., Ltd., Samsung SDI
22 America, Inc., Sanyo Consumer Electronics, Ltd., Sharp Corporation, Sharp Electronics Corporation,
23 Toshiba Corporation, Toshiba America Electronic Components, Inc., Toshiba Mobile Display
24 Technology Co., Ltd., and Toshiba America Information Systems, Inc. (collectively, the “Stipulating
25 Defendants”) on April 18, 2011;

26 WHEREAS, T-Mobile and all Stipulating Defendants except Chunghwa Picture Tubes, Ltd.,
27 Tatung Company of America, and Philips Electronics North America Corporation (“PENAC”) entered
28 into a Stipulation of Extension of Time to Respond to Complaint and Waiver of Service, dated June 17,
2011 and so-ordered by the Court on June 27, 2011 (Document 26 in 11-cv-02591-SI), which provided
that those defendants thereto would accept service of the Complaint filed by T-Mobile and would have
ninety (90) days in which to respond to the Complaint (the “Initial Stipulation”);

WHEREAS, on July 12, 2011, the Court entered an Order Granting Plaintiff’s Motion for Order

1 to Serve Defendants Chunghwa Pictures Tubes, Ltd. and Tatung Co. Through Their U.S. Counsel
2 (Document 3079 in 3:07-md-01827-SI);

3 WHEREAS, T-Mobile and PENAC entered into a Stipulation of Extension of Time to Respond
4 to Complaint and Waiver of Service, dated August 4, 2011 and so-ordered by the Court on August 5,
5 2011 (Document 32 in 11-cv-02591-SI Document 32), which provided that PENAC would accept
6 service of the Complaint filed by T-Mobile and would have ninety (90) days from the execution of the
7 Initial Stipulation in which to respond to the Complaint;

8 WHEREAS, defendants filed Motions to Dismiss T-Mobile's Complaint on September 15, 2011;

9 WHEREAS, T-Mobile desires to file a First Amended Complaint; and

10 WHEREAS, to avoid potentially redundant motion practice, briefing and/or responsive
11 pleadings, T-Mobile desires a thirty day extension to file its First Amended Complaint, and the
12 Stipulating Defendants agreed and so stipulated;

13 THEREFORE, T-Mobile and the Stipulating Defendants hereby agree:

14 1. T-Mobile may file a First Amended Complaint on or before November 7, 2011;

15 2. The Stipulating Defendants will have thirty-five (35) days from the date on which the
16 First Amended Complaint is filed and accepted for filing by the Court in which to move to dismiss,
17 answer or otherwise respond to the First Amended Complaint, with an Opposition to be filed thirty-five
18 (35) days after the filing and service of the Motion, and a Reply to be filed fourteen (14) days after the
19 filing and service of the Opposition.

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1 Plaintiff and the Stipulating Defendants further and jointly respectfully request that the Court
2 enter this stipulation as an order.

3 **SO STIPULATED:**

4 Dated: September 29, 2011

Respectfully submitted,

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IT IS SO ORDERED.

The Honorable Susan Illston
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Northern District of California