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Attorneys for Defendants  
LSI Corporation and  
Agere Systems LLC

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

17 BARNES & NOBLE, INC. and  
18 BARNESANDNOBLE.COM LLC,

19 Plaintiffs,

20 v.

21 LSI CORPORATION and  
22 AGERE SYSTEMS LLC,

23 Defendants.

Case No. 11-cv-02709 EMC

**JOINT STIPULATION AND  
[PROPOSED] ORDER REGARDING  
DEFENDANTS' MOTION FOR LEAVE  
TO AMEND INFRINGEMENT  
CONTENTIONS AND  
COUNTERCLAIMS [DKT. NO. 200]**

Trial Date: None set

24 Pursuant to Local Rule 6-2, Plaintiffs Barnes & Noble, Inc. and barnesandnoble.com llc  
25 ("Plaintiffs") and Defendants LSI Corporation and Agere Systems LLC ("Defendants")  
26 (collectively, the "Parties"), stipulate as recited below.

27 Regarding Defendants' Motion for Leave to Amend Infringement Contentions and  
28 Counterclaims (Dkt. No. 200) ("Motion for Leave"), the parties stipulate that the Motion for

1 Leave may be GRANTED by the Court.

2 The Parties further stipulate to consolidated claim construction proceedings for the  
3 Asserted Patents<sup>1</sup> and Supplemental Patents<sup>2</sup>, following service of Patent Local Rule disclosures  
4 for the Supplemental Patents.

5 The Parties propose the following schedule for Patent Local Rule disclosures regarding  
6 the Supplemental Patents and for consolidated claim construction briefing, tutorial and hearing  
7 with respect to disputed claim terms for construction in both the Asserted Patents and the  
8 Supplemental Patents for the Court's consideration:

- 9 May 20, 2013: Defendants to serve and file amended counterclaims
- 10 June 20, 2013: Plaintiffs to serve and file a response to Defendants' amended  
11 counterclaims
- 12 July 1, 2013: Defendants to serve infringement contentions and disclosures  
13 pursuant to Patent L.R. 3-1 and 3-2 related to Supplemental Patents
- 14 September 13, 2013: Plaintiffs to serve invalidity contentions and disclosures pursuant to  
15 Patent L.R. 3-3 and 3-4 related to Supplemental Patents
- 16 September 27, 2013: Parties to exchange proposed terms for construction related to  
17 Supplemental Patents
- 18 October 18, 2013: Parties to exchange of preliminary claim constructions and extrinsic  
19 evidence related to Supplemental Patents
- 20 November 12, 2013: Parties to serve and file joint claim construction and prehearing  
21 statement related to Asserted and Supplemental Patents
- 22 January 3, 2014: Defendants to serve and file opening claim construction brief  
23 related to Asserted and Supplemental Patents
- 24 January 24, 2014: Plaintiffs to serve and file responsive claim construction brief  
25 related to Asserted and Supplemental Patents
- 26 February 14, 2014: Defendants to serve and file reply claim construction brief related  
27 to Asserted and Supplemental Patents
- 28 February 24, 2014: Plaintiffs to serve and file surreply claim construction brief related

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<sup>1</sup> The Asserted Patents are: U.S. Patent No. 5,670,730, U.S. Patent 6,452,958, U.S. Patent No. 6,707,867, U.S. Patent No. 5,546,420, and U.S. Patent No. 5,920,552.

<sup>2</sup> The Supplemental Patents are: U.S. Patent No. 6,982,663, U.S. Patent No. 5,870,087, U.S. Patent No. 5,568,167, U.S. Patent No. 5,452,006, and U.S. Patent No. 8,041,394.

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to Asserted and Supplemental Patents; claim construction discovery cutoff

~~Week of March 10, 2014:~~ Technical tutorial related to Asserted and Supplemental Patents, subject to the Court's availability  
3/10/14 at 2:30 p.m.  
3/11/14 at 3:00 p.m.

~~Week of March 24, 2014:~~ Claim construction hearing related to Asserted and Supplemental Patents, subject to the Court's availability  
3/24/14 at 2:30 p.m.

Dated: ~~3/25/14 at 3:00 p.m.~~  
May 15, 2013

FENWICK & WEST LLP

By: /s/ Virginia K. DeMarchi  
Virginia K. DeMarchi  
Attorneys for Defendants  
LSI Corporation and Agere Systems LLC

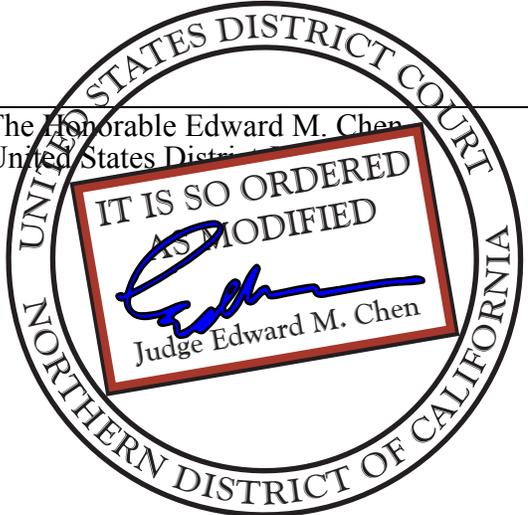
Dated: May 15, 2013

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By: /s/ Carl G. Anderson  
Carl G. Anderson  
Attorneys for Plaintiffs  
Barnes & Noble, Inc. and  
barnesandnoble.com llc

PURSUANT TO STIPULATION, IT IS SO ORDERED. (as modified above)

The Honorable Edward M. Chen  
United States District Court



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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

Pursuant to General Order No. 45, § X(B), regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: May 15, 2013

FENWICK & WEST LLP

By: /s/Virginia K. DeMarchi  
Virginia K. DeMarchi  
Attorneys for Defendants  
LSI Corporation and Agere Systems LLC

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