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 SANDISK CORPORATION

18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA  
 20 SAN FRANCISCO DIVISION

21 PNY TECHNOLOGIES, INC.,  
 22 Plaintiff,  
 23 vs.  
 24 SANDISK CORPORATION,  
 25 Defendant.

Case No. 3:11-cv-04689 (SI)

**STIPULATION AND [PROPOSED]  
 ORDER SETTING BRIEFING  
 SCHEDULE AND HEARING DATE  
 ON SANDISK CORPORATION'S  
 MOTION TO DISMISS**

Dept: Courtroom 10, 19th Fl.  
 Judge: Honorable Susan Illston

Complaint Filed: September 21, 2011

1 WHEREAS, on November 9, 2011, Defendant SanDisk Corporation (“SanDisk”) filed a  
2 Motion to Dismiss (“Motion”), setting the hearing on SanDisk’s Motion for December 16, 2011;

3 WHEREAS, counsel for Plaintiff PNY Technologies, Inc. (“PNY”) asked counsel for  
4 SanDisk to agree to an extension of the briefing and hearing schedule on the Motion, pursuant to  
5 which PNY’s Opposition to the Motion would be due on December 7, 2011, and SanDisk having  
6 requested its reply be due December 21, 2011, and PNY therefore having asked that the hearing  
7 on the Motion be scheduled for January 6, 2012;

8 WHEREAS, SanDisk does not object to PNY’s requested extension;

9 WHEREAS, the Court set the Initial Case Management Conference in this action for  
10 January 6, 2012, at 2:30 p.m.; and

11 WHEREAS, counsel for the Parties have met and conferred, and have agreed to propose  
12 an alternative briefing schedule for SanDisk’s Motion, as well as an alternative date for hearing  
13 SanDisk’s Motion on the same date as the Initial Case Management Conference;

14 THEREFORE, pursuant to Civil Local Rules 6-2 and 7-12, the Parties request that the  
15 Court reset the briefing schedule for SanDisk’s Motion and the Hearing date for that Motion and  
16 the Initial Case Management Conference on the same date as set forth below or on such other  
17 dates as may be acceptable to the Court:

- 18 1. PNY’s Opposition to SanDisk’s Motion will be due on December 7, 2011;
- 19 2. SanDisk’s Reply in Support of its Motion will be due on December 21, 2011; and
- 20 3. The Hearing on SanDisk’s Motion will be January 6, 2012, at 9:00 a.m.  
Jan. 13

21  
22 IT IS SO STIPULATED.

23  
24 Dated: November 14, 2011

FARELLA BRAUN + MARTEL LLP

25 I represent that concurrence in the filing of  
26 this document has been obtained from each  
of the other signatories.

By: /s/ John L. Cooper  
John L. Cooper

Attorneys for Plaintiff  
PNY Technologies, Inc.

27  
28 Stipulation and [Proposed] Order /  
Case No. 3:11-cv-04689 (SI)

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Dated: November 14, 2011

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By: /s/ Allen J. Ruby  
Allen J. Ruby

Attorneys for Defendant  
SanDisk Corporation

PURSUANT TO THE STIPULATION OF THE PARTIES, AND GOOD CAUSE  
APPEARING, IT IS SO ORDERED.

Dated: 11/15, 2011

  
\_\_\_\_\_  
THE HONORABLE SUSAN ILLSTON