

1 MORGAN, LEWIS & BOCKIUS LLP  
 KENT M. ROGER, State Bar No. 95987  
 2 HERMAN J. HOYING, State Bar No. 257495  
 MICHELLE M. KIM-SZROM, State Bar No. 252901  
 3 One Market, Spear Street Tower  
 San Francisco, CA 94105-1126  
 4 Tel: 415.442.1000  
 Fax: 415.442.1001  
 5 kroger@morganlewis.com  
 hhoying@morganlewis.com  
 6 mkim-szrom@morganlewis.com

7 Attorneys for Defendants  
 HITACHI, LTD., HITACHI ELECTRONIC DEVICES  
 8 (USA), INC., HITACHI DISPLAYS, LTD. (n/k/a  
 JAPAN DISPLAY INC.)  
 9

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 (SAN FRANCISCO DIVISION)  
 13

15 In re: TFT-LCD (FLAT PANEL) ANTITRUST LITIGATION 16 17 This Document Relates To Individual Case Nos. 3:11-cv-05765-SI (N.D. Cal.)	Master File No. 3:07-md-1827 (N.D. Cal.) MDL No. 1827 Case Nos. 3:11-cv-05765-SI (N.D. Cal.)
--	--

18 TECH DATA CORPORATION; TECH DATA PRODUCT MANAGEMENT, 19 INC., Plaintiffs, 20 vs. 21 AU OPTRONICS CORPORATION, <i>et al.</i> , 22 Defendants. 23	<b>STIPULATION AND <del>[PROPOSED]</del>          ORDER EXTENDING CLOSE OF FACT          DISCOVERY FOR LIMITED PURPOSES</b>  Honorable Susan Illston
--	--

24  
 25 Plaintiffs Tech Data Corporation and Tech Data Product Management, Inc. (collectively,  
 26 “Tech Data”) and Defendants (collectively “Stipulating Defendants” and together with Tech  
 27 Data, the “Parties”), hereby stipulate as follows:

28 WHEREAS, the Parties have previously stipulated to, and the Court has approved, the

1 extension of dates set in the Court's Orders re Pretrial and Trial Schedule (MDL Dkt. No. 7665)  
2 ("Track 2 Scheduling Order") for purposes of Tech Data's responses to Defendants' First Set of  
3 Interrogatories, Third Set of Interrogatories, and First Set of Requests for Admission (collectively  
4 "Defendants' Discovery Requests") (see MDL Dkt No.8045);

5 WHEREAS the Parties have also previously stipulated to, and the Court has approved, the  
6 extension of dates set in the Court's Orders re Pretrial and Trial Schedule (MDL Dkt. No. 7665)  
7 ("Track 2 Scheduling Order") for purposes of scheduling and taking depositions of a limited  
8 number of current and former employees of Tech Data previously identified by Defendants (the  
9 "Depositions") (see MDL Dkt. No. 7923);

10 WHEREAS additional time is needed to meet and confer regarding Tech Data's responses  
11 to Defendants' Discovery Requests and to conduct the Depositions.

12 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the  
13 undersigned counsel as follows:

14 The close of fact discovery shall be extended to July 19, 2013 (1) for the Parties to meet  
15 and confer regarding Tech Data's responses to Defendants' Discovery Requests, or for  
16 Stipulating Defendants to file a motion to compel regarding Defendants' Discovery Requests, and  
17 (2) to take the Depositions.

18 If the Stipulating Defendants believe there is good cause to conduct additional discovery  
19 based on information learned solely during the Depositions, the Parties agree that they will meet  
20 and confer in good faith regarding this discovery in the first instance. If the Parties agree that the  
21 discovery is appropriate, the close of fact discovery shall be extended, if necessary, for the  
22 purposes of serving such discovery. If the Parties cannot agree on the appropriateness of this  
23 discovery, the dispute will be brought before the Special Master.

24 The above extensions do not impact or change the terms or deadline of any other  
25 deadlines between the Parties.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: June 17, 2013

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Kent M. Roger

Kent M. Roger (State Bar Number 95987)  
Morgan, Lewis & Bockius LLP  
One Market, Spear Street Tower  
San Francisco, CA 94105  
Tel: (415) 442-1000  
Fax: (415) 442-1001

*Attorneys for Defendants Hitachi, Ltd., Hitachi Electronic Devices (USA), Inc., and Hitachi Displays, Ltd. (n/k/a Japan Display Inc.)*

*Also on behalf of AU Optronics Corporation, AU Optronics Corporation America, Chi Mei Optoelectronics Corporation (n/k/a Chimei Innolux Corporation), Chi Mei Optoelectronics USA, Inc., CMO Japan Co., Ltd., Chunghwa Picture Tubes, Ltd., Epson Electronics America, Inc., Epson Imaging Devices Corporation, HannStar Display Corporation, LG Display Co., Ltd., LG Display America, Inc., Mitsui & Co. (Taiwan), Ltd., Mitsui & Co. (U.S.A.), Inc., NEC Corporation, NEC Corporation of America, NEC LCD Technologies, Ltd., NEC Display Solutions of America, Inc., NEC Electronics America, Inc., Sanyo Consumer Electronics Co., Ltd., Sharp Corporation, Sharp Electronics Corporation, Toshiba America Electronic Components, Inc., Toshiba Corporation, Toshiba Mobile Display Co., Ltd. and Toshiba America Information Systems, Inc.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BILZIN SUMBERG BAENA PRICE & AXELROD, LLP

By: /s/ Scott N. Wagner

Robert W. Turken (admitted *pro hac vice*)  
Mitchell E. Widom (admitted *pro hac vice*)  
Scott N. Wagner (admitted *pro hac vice*)  
1450 Brickell Ave., Suite 2300  
Miami, Florida 33131-3456  
Tel: (305) 374-7580  
Fax: (305) 374-7593

*Attorneys for Plaintiffs Tech Data Corporation and Tech Data Product Management, Inc.*

BOIES, SCHILLER & FLEXNER LLP  
William A. Isaacson (admitted *pro hac vice*)  
5301 Wisconsin Ave. NW, Suite 800  
Washington, D.C. 20015  
Tel: (202) 237-2727  
Fax: (202) 237-6131

Philip J. Iovieno (admitted *pro hac vice*)  
Anne M. Nardacci (admitted *pro hac vice*)  
Christopher V. Fenlon (admitted *pro hac vice*)  
10 North Pearl Street, 4th Floor  
Albany, NY 12207  
Tel: (518) 434-0600  
Fax: (518) 434-0665

*Attorneys for Plaintiffs Tech Data Corporation and Tech Data Product Management, Inc.,*

**FILER'S ATTESTATION**

I, Kent M. Roger, am the ECF user whose identification and password are being used to file this Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the signatories above.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**

Pursuant to the parties' stipulation set forth above, IT IS SO ORDERED.

Dated: June 19, 2013

By   
HON. SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE