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 15 SILICON SPACE TECHNOLOGY  
 CORPORATION

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

21 eSILICON CORPORATION, a Delaware  
 Corporation,  
 22 Plaintiff,  
 23 v.  
 24 SILICON SPACE TECHNOLOGY  
 25 CORPORATION, a Delaware Corporation,  
 26 Defendant.

Case No. 3:11-CV-6184-EDL

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE NOVEMBER  
 27, 2012 FURTHER CASE  
 MANAGEMENT CONFERENCE  
 AS MODIFIED**

Date: November 27, 2012  
 Time: 9:00 a.m.  
 Dept: Courtroom E – 15th Floor  
 Judge: Magistrate Judge Laporte  
 Trial Date: October 7, 2012

27  
 28 STIP. AND [PROPOSED] ORDER TO  
 CONTINUE CASE MGMT. CONF.

Case No. 3:11-CV-6184-EDL

1 This Stipulation and [Proposed] Order is entered into by and between counsel for Plaintiff  
2 eSilicon Corporation (“eSilicon”) and counsel for Defendant Silicon Space Technology  
3 Corporation (“SST”) (collectively, the “Parties”) as follows:

4 WHEREAS, a related action is currently pending before the District Court of Travis  
5 County, Texas, 126th Judicial District, *Silicon Space Technology Corp. v. eSilicon Corp.*, Case  
6 No. D-1-GN-11-001750 (the “Texas Action”);

7 WHEREAS, trial in the Texas Action was formerly scheduled to begin on October 15,  
8 2012;

9 WHEREAS, pursuant to the August 8, 2012 Case Management and Pretrial Order for Jury  
10 Trial (Dkt. No. 79), a further case management conference was scheduled for November 13, 2012  
11 at 10:00 a.m.;

12 WHEREAS, the August 8, 2012 Case Management and Pretrial Order for Jury Trial (Dkt.  
13 No. 79) states that the parties shall file an updated joint case management conference statement  
14 no later than November 6, 2012;

15 WHEREAS, pursuant to the Court’s October 3, 2012 Order Granting in Part With Leave  
16 to Amend Plaintiff’s Motion for Judgment on the Pleadings (Dkt. No. 92), the parties are to file a  
17 joint report within a week of the conclusion of the trial in the Texas Action informing the Court  
18 of the outcome of that case and its impact on this case;

19 WHEREAS, on September 27, 2012, the Texas court continued the October 15, 2012 trial  
20 of the Texas Action to January 14, 2013 due to outstanding discovery issues;

21 WHEREAS, on October 11, 2012, eSilicon requested an additional extension of the  
22 January 14, 2013 trial date due to outstanding discovery;

23 WHEREAS, the Texas court denied eSilicon’s request for an extension of the trial date as  
24 premature but noted that eSilicon may renew its request at a later date depending on the status of  
25 SST’s document production;

26 WHEREAS, eSilicon may wish to renew its request for an extension of the January 14,  
27 2013 trial in the Texas Action at a later time;

28 WHEREAS, on November 2, 2012, the Court reset the further case management

1 conference that was scheduled for November 13, 2012 at 10:00 a.m. to November 27, 2012, at  
2 9:00 a.m., to be heard with the Motion to Dismiss (Dkt. No 95);

3 WHEREAS, the Parties have agreed that the November 27, 2012 further case  
4 management conference should be continued to a later date;

5 NOW THEREFORE, the Parties, by and through their respective counsel of record,  
6 hereby stipulate, subject to Court approval, as follows:

7 1. The further case management conference currently scheduled for November 27,  
8 2012 at 10:00 a.m. is continued until after the trial in the Texas Action;

9 2. Should trial of the Texas Action take place on January 14, 2013, the Parties will  
10 file a joint report within a week of the conclusion of trial informing the Court of the outcome of  
11 that case and its impact on this case, and proposing a time for a further case management  
12 conference;

13 3. Alternatively, should trial of the Texas Action be rescheduled to a later date, the  
14 Parties will file a joint report informing this Court of the new trial date and its impact on the  
15 scheduling of this case, and proposing a time for a further case management conference.

16 IT IS SO STIPULATED.  
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1 Dated: November 2, 2012

FENWICK & WEST LLP

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By: /s/ Rodger R. Cole

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Rodger R. Cole

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Attorneys for Plaintiff

eSILICON CORPORATION

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10 Dated: November 2, 2012

BUNSOW, DE MORY, SMITH & ALLISON  
LLP

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By: /s/ Denise M. De Mory

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Denise M. De Mory

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SILICON SPACE TECHNOLOGY

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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

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I, Denise M. De Mory, am the ECF User whose identification and password are being

22

used to file this **STIPULATION AND [PROPOSED] ORDER TO CONTINUE**

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**NOVEMBER 27, 2012 FURTHER CASE MANAGEMENT CONFERENCE.** In compliance

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with General Order 45.X.B, I hereby attest that Denise De Mory has concurred in this filing.

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Dated: November 2, 2012

/s/ Denise M. De Mory

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Denise M. De Mory

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~~PROPOSED~~ ORDER AS MODIFIED

Pursuant to the foregoing stipulation, it is hereby ordered that:

1. The Case Management Conference presently scheduled for November 27, 2012 is continued to February 12, 2013, at 10:00 a.m.

4. Should trial of the related matter in the District Court of Travis County, Texas, 126th Judicial District, *Silicon Space Technology Corp. v. eSilicon Corp.*, Case No. D-1-GN-11-001750 (the "Texas Action") take place on January 14, 2013, the parties shall file a joint report within a week of the conclusion of the trial informing the Court of the outcome of that case and its impact on this case, ~~and proposing a time for a further case management conference.~~

2. Alternatively, should the trial of the Texas Action be rescheduled to a later date, the parties shall file a joint report informing this Court of the new trial date and its impact on the scheduling of this case, and proposing a time for a further case management conference.

Dated: November 5, 2012



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