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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS
ANTITRUST LITIGATION

This document relates to:

ACER INC.; ACER AMERICA
CORPORATION; GATEWAY, INC.; AND
GATEWAY U.S. RETAIL, INC., F/K/A
EMACHINES, INC.

Plaintiffs,

v.

LITE-ON IT CORPORATION., et al.

Defendants.

MDL No. 2143

CASE NO. 3:13-cv-4991-RS

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER REGARDING DEFENDANTS'
RESPONSES TO COMPLAINT**

1 WHEREAS, Acer Inc., Acer America Corporation, Gateway, Inc., and Gateway U.S.
2 Retail, Inc. f/k/a EMachines, Inc. (“Acer”) filed a complaint on October 25, 2013 (“Complaint”);

3 WHEREAS, on January 3, 2014, this Court entered the Joint Stipulation and Order
4 Regarding Extension of Time to Respond to Complaint and Waiver of Service as to certain
5 Defendants (Dkt. 16), and a Stipulation and Order Regarding Extension of Time to Respond to
6 Complaint and Waiver of Service as to certain other Defendants (Dkt. 17), both of which set a
7 deadline of March 26, 2014 for Defendants to respond to the Complaint or, in the alternative, that
8 if Acer amended its Complaint (“Amended Complaint”), Defendants shall have until the later of
9 60 days from the date of any amendment or March 26, 2014 to respond;

10 WHEREAS, Acer intends to file an Amended Complaint in the next 30 days;

11 WHEREAS, the Parties agree that Defendants need not respond to the Complaint given
12 Acer’s intention to file an Amended Complaint, and further agree that Defendants should have 60
13 days from the date of amendment to respond to the Amended Complaint;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned
15 counsel for the parties, that: (i) Defendants need not respond to the Complaint; and (ii)
16 Defendants shall have 60 days from the date of amendment to respond to the Amended
17 Complaint.

18 IT IS SO STIPULATED.

19 DATED: March 14, 2014

LATHAM & WATKINS LLP

By: /s/ Belinda S Lee

BELINDA S LEE

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

Telephone: (415) 391-0600

Facsimile: (415) 395-8075

belinda.lee@lw.com

Counsel for Defendants

*TOSHIBA CORPORATION; TOSHIBA SAMSUNG
STORAGE TECHNOLOGY CORP.; TOSHIBA
SAMSUNG STORAGE TECHNOLOGY KOREA
CORP.; and TOSHIBA AMERICA INFORMATION
SYSTEMS, INC.*

1 DATED: March 14, 2014

BAKER BOTTS L.L.P.

2 By: /s/ John Taladay
3 JOHN TALADAY
4 EVAN J. WERBEL
5 1299 Pennsylvania Ave NW
6 Washington, DC 20004
7 Telephone: (202) 383-7199
8 Facsimile: (202) 383-6610
9 john.taladay@bakerbotts.com
10 evan.werbel@bakerbotts.com

11 Counsel for Defendants
12 *LITE-ON IT CORPORATION; KONINKLIJKE*
13 *PHILIPS N.V.; PHILIPS & LITE-ON DIGITAL*
14 *SOLUTIONS CORP.; and PHILIPS & LITE-ON*
15 *DIGITAL SOLUTIONS USA, INC.*

16 DATED: March 14, 2014

O'MELVENY & MYERS LLP

17 By: /s/ Ian Simmons
18 IAN SIMMONS
19 1625 Eye Street, NW
20 Washington, DC 20006
21 Telephone: (202) 383-5106
22 Facsimile: (202) 383-5414
23 isimmons@omm.com

24 Counsel for Defendant
25 *SAMSUNG ELECTRONICS CO, LTD. and*
26 *SAMSUNG ELECTRONICS AMERICA, INC.*

27 DATED: March 14, 2014

JONES DAY

28 By: /s/ Eric P. Enson
ERIC P. ENSON
555 South Flower Street, Fiftieth Floor
Los Angeles, CA 90071
Telephone: (213) 489-3939
Facsimile: (213) 243-2539
epenson@JonesDay.com

Counsel for Defendants
PIONEER CORPORATION; PIONEER DIGITAL
DESIGN & MANUFACTURING COMPANY;
PINOEER ELECTRONICS (USA) INC.; PIONEER
HIGH FIDELITY TAIWAN CO., LTD.; and
PIONEER
NORTH AMERICA, INC.

1 DATED: March 14, 2014

BOIES SCHILLER & FLEXNER LLP

2
3 By: /s/ John F. Cove, Jr.
JOHN F. COVE, JR.
1999 Harrison Street, Suite 900
Oakland, CA 94612
Telephone: (510) 874-1000
Facsimile: (510) 874-1460
jcove@bsflp.com

4
5
6
7 Counsel for Defendants
8 *SONY CORPORATION; SONY ELECTRONICS*
9 *INC., SONY NEC OPTIARC INC.; SONY OPTIARC*
AMERICA INC.; AND SONY OPTIARC INC.

10 DATED: March 14, 2014

WINSTON & STRAWN LLP

11 By: /s/ Robert B. Pringle
ROBERT B. PRINGLE
101 California Street, Suite 3900
San Francisco, CA 94111
Tel: 415-591-1000
Fax: 415-591-1400
rpringle@winston.com

12
13
14
15 Counsel for Defendant
16 *NEC CORPORATION*

17 Dated: March 14, 2014

CARLTON FIELDS JORDEN BURT, P.A.

18 By: /s/ David B. Esau
DAVID B. ESAU (*pro hac vice*)
CityPlace Tower
525 Okeechobee Boulevard, Suite 1200
West Palm Beach, Florida 33401-6350
desau@cfjblaw.com
Telephone: (561) 659-7070

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20
21
22 Hsiang ("James") H. Lin (SBN 241472)
jlin@techknowledge.com
TECHKNOWLEDGE LAW GROUP LLP
1521 Diamond Street
San Francisco, CA 94131
Telephone: (415) 816-9525

23
24
25
26 Attorneys for Plaintiffs
27 *ACER INC.; ACER AMERICA CORPORATION;*
GATEWAY, INC.; AND GATEWAY U.S.
28 *RETAIL, INC., F/K/A EMACHINES, INC.*


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Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from the stipulating parties.

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 3/18/14



HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

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