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FUJITSU LIMITED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE AASI BENEFICIARIES' TRUST, BY
AND THROUGH KENNETH A. WELT,
LIQUIDATING TRUSTEE,

Plaintiff,

vs.

AVX CORPORATION; PANASONIC
CORPORATION; PANASONIC
CORPORATION OF NORTH AMERICA;
SANYO ELECTRIC CO., LTD.; SANYO
NORTH AMERICA CORPORATION;
NEC TOKIN CORPORATION; NEC
TOKIN AMERICA, INC.; NIPPON
CHEMI-CON CORPORATION; UNITED
CHEMI-CON, INC.; HITACHI
CHEMICAL CO., LTD.; HITACHI AIC
INC.; HITACHI CHEMICAL CO.
AMERICA, LTD.; FUJITSU LTD.;
NICHICON CORPORATION; NICHICON
(AMERICA) CORPORATION; KEMET
CORPORATION; KEMET
ELECTRONICS CORPORATION;
RUBYCON CORPORATION; RUBYCON

Case No. 3:17-cv-03472-EMC

**STIPULATION AND [~~PROPOSED~~] ORDER
EXTENDING THE DEADLINE FOR
CERTAIN DEFENDANTS TO FILE AN
ANSWER**

1 AMERICA INC.; ELNA CO., LTD.; ELNA
2 AMERICA INC.; MATSUO ELECTRIC
3 CO., LTD.; TOSHIN KOGYO CO., LTD.;
4 HOLY STONE ENTERPRISE CO., LTD.;
5 MILESTONE GLOBAL TECHNOLOGY,
6 INC. (D/B/A HOLYSTONE
7 INTERNATIONAL); VISHAY
8 POLYTECH CO., LTD.; ROHM CO.,
9 LTD.; ROHM SEMICONDUCTOR U.S.A.,
10 LLC; OKAYA ELECTRIC INDUSTRIES
11 CO., LTD.; OKAYA ELECTRIC
12 AMERICA, INC.; TAITSU
13 CORPORATION; TAITSU AMERICA,
14 INC.; SHINYEI KAISHA; SHINYEI
15 TECHNOLOGY CO., LTD.; SHINYEI
16 CAPACITOR CO., LTD.; SHINYEI
17 CORPORATION OF AMERICA, INC.;
18 NITSUKO ELECTRONICS
19 CORPORATION; NISSEI ELECTRIC CO.,
20 LTD.; SHIZUKI ELECTRIC CO., LTD.;
21 SOSHIN ELECTRIC CO., LTD.; AND
22 SOSHIN ELECTRONICS OF AMERICA,
23 INC.,

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Defendants.

1 Pursuant to Civil Local Rule 6-2, Defendants Fujitsu Limited, TOKIN Corporation,
2 TOKIN America Inc., KEMET Corporation, and KEMET Electronics Corporation (collectively,
3 the “Stipulating Defendants”), and Plaintiff The AASI Beneficiaries’ Trust, by and through
4 Kenneth A. Welt, Liquidating Trustee (“AASI”), respectfully request that the Court enter the
5 parties’ stipulation below that extends the time for each of the Stipulating Defendants to file an
6 answer to AASI’s Complaint (“Complaint”) (ECF No. 1).

7 **FACTUAL BACKGROUND TO PARTIES’ STIPULATION**

8 In support of this stipulation, the undersigned parties provide the following facts, which
9 are verified in the supporting Declaration of Ian K. Bausback filed concurrently herewith:

10 1. On August 29, 2016, AASI filed a Complaint in the United States District Court,
11 Southern District of Florida. (ECF No. 1.)

12 2. On December 29, 2016, the Court in the Southern District of Florida ordered that
13 Defendants respond to the Complaint within 45 days of the Court’s order on Defendant’s motion
14 to transfer this action to the United States District Court, Northern District of California. (ECF
15 No. 55.)

16 3. On June 14, 2017, the Court in the Southern District of Florida ordered that this
17 action be transferred to the Northern District of California. (ECF No. 105.)

18 4. On July 14, 2017, this action was reassigned to this Court from Magistrate Judge
19 Laurel Beeler. (ECF No. 137.)

20 5. On July 20, 2017, an Administrative Motion to Consider Whether Cases Should
21 Be Related (“Administrative Motion”) was filed in *In re Capacitors Antitrust Litigation*, Master
22 File No. 3:14-cv-03264-JD, requesting that this action be related to *In re Capacitors Antitrust*
23 *Litigation* and assigned to District Judge James Donato. (Master File No. 3:14-cv-03264-JD,
24 ECF No. 1757.) Other related cases have previously been transferred to Judge Donato.

25 6. The Stipulating Defendants’ current deadline to respond to the Complaint is
26 July 31, 2017.

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IT IS SO STIPULATED.

Dated: July 27, 2017

MORRISON & FOERSTER LLP

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Paul T. Friedman

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Dated: July 27, 2017

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*Attorneys for Plaintiff The AASI
Beneficiaries' Trust, by and through
Kenneth A. Welt, Liquidating Trustee*

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Dated: July 27, 2017

PILLSBURY WINTHROP SHAW PITTMAN
LLP

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Corporation, TOKIN Corporation, and
TOKIN America Inc.*

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ECF ATTESTATION

I, Ian Bausback, am the ECF User whose ID and Password are being used to file this stipulation. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories has concurred in this filing.

Dated: July 27, 2017

MORRISON & FOERSTER LLP

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Ian K. Bausback

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Attorneys for Defendant Fujitsu Limited

[~~PROPOSED~~] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/31/17

