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9 ATTORNEYS FOR DEFENDANTS AND COUNTERCLAIMANTS  
 ADVANCED SEMICONDUCTOR ENGINEERING, INC. AND ASE (U.S.), INC.

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 OAKLAND DIVISION  
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15 TESSERA, INC.,  
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 Plaintiff, Counter-defendant,  
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 v.  
 18 ADVANCED MICRO DEVICES, INC. et al.,  
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 Defendants, Counter-claimants.  
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CASE No. 4:05-cv-04063-CW

**JOINT STIPULATION AND ORDER  
 CHANGING THE DATE OF UPCOMING  
 CASE MANAGEMENT CONFERENCE  
 AND RELATED DATES**

1           1.       WHEREAS, this Court stayed the case known as *Tessera, Inc. v. Advanced Micro*  
2 *Devices, Inc. et al*, Case No. C 05-04063 (CW) (the “AMD case”) by its order of May 24, 2007  
3 with respect to International Trade Commission Investigation 337-TA-605 “until the  
4 determination of the ITC, including appeals becomes final,” and WHEREAS, on August 5, 2008  
5 the Court ordered that the stay of the AMD case “shall be extended until a determination in the  
6 International Trade Commission Investigation 337-TA-649, including appeals, becomes final;”  
7 and

8           2.       WHEREAS, this Court issued a Related Case Order on September 11, 2008 in the  
9 AMD case finding that the three cases known as, *Siliconware Precision Industries Co., Ltd. et al.*  
10 *v. Tessera*, Case No. C 08-03667 RS; *Advanced Semiconductor Engineering Inc. et al. v.*  
11 *Tessera*, Case No. C 08-03726 EMC; and *Chipmos Technologies Inc. et al. v. Tessera, Inc.*, Case  
12 No. C 08-03827 CW, were related to the AMD case (these three cases are collectively the  
13 “Related Cases”); and

14           3.       WHEREAS, this Court stayed all proceedings in the Related Cases, to include all  
15 claims and counterclaims, by its order of December 19, 2008 “[i]n light of the decision by the  
16 International Trade Commission (‘ITC’) granting Tessera’s motion to amend the Complaint and  
17 Notice of Investigation adding U.S. Patent No. 5,663,106 to the investigation” known as 337-  
18 TA-649 and the stipulation of the parties in the Related Cases; and

19           4.       WHEREAS, by its orders of June 11, 2010 this Court subsequently set a Case  
20 Management Conference in both the AMD case and the Related Cases for December 14, 2010 at  
21 2:00 p.m; and

22           5.       WHEREAS, this Court issued a Related Case Order on November 10, 2010,  
23 finding that the case known as *Spansion Inc. v. Tessera Inc.*, Case No. C 10-04954 MMC (the  
24 “Spansion case”), is related to this case; and

25           6.       WHEREAS the parties in the AMD, Spansion, and Related Cases, by their  
26 undersigned counsel, report to the Court that the current status of the pending International Trade  
27 Commission Investigation 337-TA-605 is that the Final Determination is under appeal to the  
28 Federal Circuit in Case Number 09-1460. The appeal is now fully briefed and was argued on

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June 9, 2010, but no decision has issued as of yet, and;

7. WHEREAS, since a final resolution of ITC's 337-TA-605 investigation, including appeals, is still pending, the parties in the AMD case, in the Spansion case, and in the Related Cases believe that it would be most efficient to further postpone (and, in the Spansion case, postpone) the case management conference and related activity in the AMD case, the Spansion case, and the Related Cases until approximately June 7, 2011; and


8. WHEREAS, the parties appearing below agree that there would be no prejudice to the parties in moving the case management conference, as that case is currently stayed;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties appearing below through their undersigned respective attorneys of record, based on the foregoing, and subject to the approval of this Court, that:

a. The case management conference currently scheduled for December 14, 2010, at 2:00 p.m. in the AMD case shall be rescheduled for **June 7, 2011** at **2:00 p.m.**, or as soon thereafter as the Court is available;

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this **7th** day of **December**, 2010.

  
\_\_\_\_\_  
Honorable Claudia Wilken  
United States District Judge

1 Dated: December 6, 2010

/s/  
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Gina A. Bibby  
FOLEY & LARDNER LLP  
Attorneys for defendants and counter-claimants  
ADVANCED SEMICONDUCTOR  
ENGINEERING, INC., ASE TEST LIMITED, and  
ASE (U.S.) INC.

5 Dated: December 6, 2010

/s/  
\_\_\_\_\_  
Michael Heafey  
ORRICK, HERRINGTON & SUTCLIFFE  
Attorneys for defendants and counter-claimants  
SILICONWARE PRECISION INDUSTRIES CO.,  
LTD. and SILICONWARE U.S.A.

9 Dated: December 6, 2010

/s/  
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Elaine Chow  
K&L GATES LLP  
Attorneys for defendant and counter-claimant  
ADVANCED MICRO DEVICES, INC. and  
plaintiff SPANSION LLC

12 Dated: December 6, 2010

/s/  
\_\_\_\_\_  
Joseph Lanser  
SEYFARTH SHAW  
Attorneys for defendants and counter-claimants  
CHIPMOS TECHNOLOGIES INC. and CHIPMOS  
U.S.A. INC.

16 Dated: December 6, 2010

/s/  
\_\_\_\_\_  
Russell L. Johnson  
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Attorneys for defendants and counter-claimants  
STMICROELECTRONICS N.V. and  
STMICROELECTRONICS, INC.

19 Dated: December 6, 2010

/s/  
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Michael Franzinger  
WEIL, GOTSHAL & MANGES LLP  
Attorneys for defendants and counter-claimants  
STATS CHIPPAC INC., STATS CHIPPAC LTD  
and STATS CHIPPAC (BVI) LIMITED

23 Dated: December 6, 2010

/s/  
\_\_\_\_\_  
Trevor Stockinger  
IRELL & MANELLA LLP  
Attorneys for plaintiff and counter-defendant  
TESSERA, INC.



