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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

16	SUN MICROSYSTEMS, INC.,)	Case No. C 06-01665 PJH
17	Plaintiff,)	
18	v.)	Assigned for all purposes to the
19	HYNIX SEMICONDUCTOR, INC., et al.,)	Hon. Phyllis J. Hamilton
20	Defendants)	STIPULATION AND [PROPOSED] ORDER
21)	EXTENDING DEADLINES FOR SUN
22)	REPLY BRIEFS AND HYNIX OPPOSITION
23)	BRIEF
24)	
25)	
26)	
27)	

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1 **STIPULATION**

2 This Stipulation is entered into between Plaintiff Sun Microsystems, Inc. (“Sun”) and
3 Defendants Hynix Semiconductor Inc. and Hynix Semiconductor America Inc. (together,
4 “Hynix”) in the above-captioned action, and is made with regard to the following facts:

5 WHEREAS, on May 1, 2009, Sun filed a Motion to Quash Defendants Hynix
6 Semiconductor Inc. and Hynix Semiconductor America Inc.’s Subpoena of Sun CFO Michael
7 Lehman [Docket No. 680];

8 WHEREAS, on May 20, 2009, Hynix filed a brief in opposition to Sun’s Motion to
9 Quash [Docket No. 709];

10 WHEREAS, Sun’s reply brief in further support of its Motion to Quash is due May 27,
11 2009;

12 WHEREAS, on May 12, 2009, Sun filed a Motion to Strike Certain Witnesses from
13 Defendants Hynix Semiconductor Inc. and Hynix Semiconductor America Inc.’s Witness List
14 (“Motion to Strike”) [Docket No. 703];

15 WHEREAS, Hynix’s brief in opposition to Sun’s Motion to Strike is due May 27, 2009,
16 and Sun’s reply brief in further support of its Motion to Strike is due June 3, 2009;

17 WHEREAS, Sun and Hynix are engaged in ongoing settlement discussions that may
18 achieve resolution of this matter as to Hynix and thus may obviate the need for further briefing
19 on Sun’s Motion to Quash and Motion to Strike;

20 WHEREAS, Sun and Hynix seek short extensions of the deadlines to file Sun’s reply
21 briefs and Hynix’s opposition related to Sun’s Motion to Quash and Motion to Strike in order to
22 allow the parties more time to try to complete settlement negotiations without further briefing on
23 these motions; and

24 WHEREAS, Sun has waived hearing on its Motion to Quash and Motion to Strike, and
25 the extension agreed to by Sun and Hynix and sought from the Court herein will not alter or
26 affect any other deadlines in this action;

27 THEREFORE, SUBJECT TO APPROVAL OF THE COURT, IT IS HEREBY
28 STIPULATED AND AGREED BETWEEN Sun and Hynix that:

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1. Sun's reply brief in further support of its Motion to Quash shall be due no later than June 1, 2009;
2. Hynix's opposition to Sun's Motion to Strike shall be due no later than June 1, 2009; and
3. Sun's reply brief in further support of its Motion to Strike shall be due no later than June 5, 2009.

SO STIPULATED.

CROWELL & MORING LLP

Dated: May 26, 2009

By: /s/David D. Cross
David D. Cross

Attorneys for Plaintiff
SUN MICROSYSTEMS, INC.

Dated: May 26, 2009

O'MELVENY & MYERS LLP

By: /s/Steven H. Bergman
Steven H. Bergman

Attorneys for Defendants
HYNIX SEMICONDUCTOR INC. and HYNIX
SEMICONDUCTOR AMERICA INC.

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ATTESTATION OF FILING

Pursuant to General Order 45.X.B, I hereby attest that I have obtained concurrence in the filing of this document from the attorney for Hynix listed in the signature block above.

/s/ David D. Cross
David D. Cross

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[PROPOSED] ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: 5/27/09

