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STIPULATION

The parties hereto hereby stipulate to a dismissal of this action as to defendants Hynix Semiconductor Inc. and Hynix Semiconductor America Inc. without prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. This stipulation is pursuant to a settlement agreement negotiated by the Parties, and the Parties agree that the Court should reserve jurisdiction to enforce the terms of that settlement agreement. Each party shall bear its own costs and attorney’s fees. This dismissal shall not apply to or affect any other defendant in this action.

IT IS SO STIPULATED AND AGREED.

Dated: July 14, 2009

CROWELL & MORING LLP

By: _____
Jerome A. Murphy

Attorneys for Plaintiff
SUN MICROSYSTEMS, INC.

Dated: July 14, 2009

O’MELVENY & MYERS LLP

By: _____
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 parties listed above.

/s/
Jerome A. Murphy

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[PROPOSED] ORDER

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

Dated: 7/14/09

