

1 Attorney for Plaintiff
STATE OF RHODE ISLAND

2
3 EDMUND F. MURRAY, JR. (S.B. #3096)
emurray@riag.state.ri.us
4 RHODE ISLAND DEPARTMENT OF ATTORNEY GENERAL
150 South Main Street
5 Providence, RI 02903
Telephone: (401) 274-4400 ext. 2401
6 Facsimile: (401) 222-2995

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10
11 THE STATE OF CALIFORNIA et al.,

Case No.: C 06-4333 PJH
Related to MDL No. 1486

12
13
14 Plaintiffs,

**JOINT STIPULATION AND [~~PROPOSED~~]
ORDER TO EXTEND TIME
TO ANSWER INTERROGATORIES**

15
16 v.

17 INFINEON TECHNOLOGIES AG et al.,

18 Defendants.
19

20 Now comes the State of Rhode Island, by and through the Attorney General, and Defendants
21 Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc. and hereby agree to stipulate to
22 an extension of time in which the State of Rhode Island shall provide answers to Defendant Hynix's
23 interrogatories. Pursuant to a previous order of this court, Rhode Island's answers, as well as other
24 states' answers, are due on October 7, 2008. After discussions with Steven Bergman, Hynix'
25 counsel, Hynix has no objection to this Court granting Rhode Island an extension until November 7,
26 2008 in which to answer Hynix' interrogatories. As a basis for said Stipulation Rhode Island states
the following:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. The information requested in Hynix' interrogatories relates to a period (1998-2002) when the State had changed from Rhode Island Financial and Accounting System (RIFANS) to Rhode Island State Automated Information Link (RISAIL);
2. Many, if not all, of the State employees who were previously working in the Division of Purchasing, IT and/or Accounts and Control are either no longer employed by the State or are employed in different State departments;
3. Providing the requested information is time consuming in that the answers require a determination of what relevant DRAM was in equipment that was purchased by the Department of Administration and other state agencies;
4. Retrieving the information requested for purchases prior to RISAIL (i.e. prior to 2002) is labor intensive in that the information is contained in purchase orders, invoices and statements. These documents are not segregated in any meaningful way with respect to the issues in this case. Therefore, personnel must read each document in order to determine if it relates to the purchase of a product containing DRAM. This is the most time consuming aspect of the State's search and retrieval of relevant information.
5. The State of Rhode Island is attempting to eliminate a five hundred million dollar (\$500,000,000) budget deficit. In doing so, many State employees (approximately 9%) will have left State service by October 1, 2008. This makes finding additional personnel who are available to review documents impossible.

WHEREFORE, the State of Rhode Island and Defendants Hynix Semiconductor Inc. and Hynix Semiconductor America, Inc. agree and stipulate that the state of Rhode Island shall have an Extension until November 7, 2008 to Answer Defendant Hynix' Interrogatories.

DATED: October 2, 2008

1 Respectfully Submitted,

2 State of Rhode Island,

3 By Its Attorney,

4 PATRICK C. LYNCH
5 ATTORNEY GENERAL

O'MELVENY & MYERS LLP

KENNETH R. O'ROURKE
MICHAEL F. TUBACH
STEVEN H. BERGMAN
JANE Y. CHANG

6
7 By: /Edmund F. Murray, Jr./

8 Edmund F. Murray, Jr. (#3096)
9 Special Assistant Attorney General
10 Pro Hac Vice
11 Rhode Island Department of Attorney General
12 150 South Main Street
13 Providence, RI 02903-2907
14 Tel: (401) 274-4400 x 2401
15 Fax: (401) 222-2995
16 emurray@riag.ri.gov

By: /Steven H. Bergman/

Steven H. Bergman

Attorneys for Defendants
HYNIX SEMICONDUCTOR INC. and
HYNIX SEMICONDUCTOR AMERICA INC
and with respect to this Stipulation only.

14 **ORDER**

15 THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

16
17
18 DATED: October 2, 2008

