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COMMONWEALTH OF VIRGINIA

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

9 THE STATE OF CALIFORNIA, et al.,

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

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12 Plaintiffs,

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO
EXTEND TIME TO ANSWER
INTERROGATORIES

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15 v.

16 INFINEON TECHNOLOGIES AG, et al.,

17 Defendants.

18 Now comes the Commonwealth of Virginia, by and through the Attorney General, and
19 Defendants Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc., and hereby
20 agree to stipulate to an extension of time in which the Commonwealth of Virginia shall provide
21 answers to Defendant Hynix's interrogatories. Pursuant to a previous court order of this Court,
22 Virginia's answers, as well as other states' answers, are due on October 7, 2008. After
23 discussions with Katherine Robison, Hynix's counsel, Hynix has no objection to this Court
24 granting Virginia an extension until November 7, 2008, in which to answer Hynix's
25 interrogatories. As a basis for said Stipulation, Virginia states the following:
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1 1. The information requested in Hynix's interrogatories relates to a period of time
2 (1998-2002) when the Commonwealth changed its central state contract
3 negotiating agency three times, from the Department of General Services'
4 Division of Purchases and Supply to the Department of Information Technology
5 to the Virginia Information Technologies Agency. To the extent any purchase
6 records or state contracts from that time period still exist after the normal
7 operation of state agency document retention policies, these two system changes
8 makes finding those documents more difficult and the search necessary to find
9 them more time-consuming.
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11 2. The Commonwealth of Virginia currently is facing a \$3 billion budget shortfall,
12 and the Governor of Virginia has asked all state agencies to prepare individual
13 agency cuts of 5%, 10% and 15% to address this shortfall. Many of the agency
14 staff helping the Commonwealth prepare our interrogatory responses are financial
15 and procurement employees involved in developing the new budget figures,
16 which are due to the Governor's Office by October 15, 2008. It will be easier for
17 these employees to fully answer Hynix's interrogatories after these budget figures
18 have been submitted.
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20 3. The Virginia Attorney General's Office itself has been adversely affected by the
21 budget crisis in Virginia and currently does not have additional staff to
22 compensate for the lack of staff and resources at the state agencies answering the
23 interrogatories.
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1 WHEREFORE, the Commonwealth of Virginia and Defendants Hynix Semiconductor,
2 Inc. and Hynix Semiconductor America, Inc. agree and stipulate that the Commonwealth of
3 Virginia shall have an Extension of Time until November 7, 2008, to Answer Defendant Hynix's
4 Interrogatories.

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6 DATED: October 6, 2008

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8 Respectfully submitted,

9 COMMONWEALTH OF VIRGINIA

O'MELVENY & MYERS LLP

10 By Its Attorney General,
11 ROBERT F. MCDONNELL
12 ATTORNEY GENERAL

KENNETH R. O'ROURKE
MICHAEL F. TUBACH
STEVEN H. BERGMAN
KATHERINE ROBISON

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14
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Katherine Robison
Counsel

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

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ORDER

THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

DATED: October 6, 2008


JOSEPH C. SPERO
United States Magistrate Judge