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10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 THE STATE OF CALIFORNIA, et al., Case No.: C 06-4333 PJH

13 Plaintiffs,

14 **JOINT STIPULATION AND**  
 15 **~~PROPOSED~~ ORDER TO**  
 16 **EXTEND TIME TO ANSWER**  
 17 **INTERROGATORIES**

18 v.

19 INFINEON TECHNOLOGIES AG, ET AL.,

20 Defendants.

21 Now comes the State of North Carolina, by and through the Attorney General, and  
 22 Defendants Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc. by and through  
 23 its attorneys, and hereby agree to stipulate to an extension of time in which the State of North  
 24 Carolina shall provide answers to Defendant Hynix's interrogatories. Pursuant to a previous  
 25 order of this Court, North Carolina's answers, as well as other states' answers, were due on  
 October 7, 2008. After timely discussions with Kenneth O'Rourke and Katherine Robison,  
 Hynix's counsel, Hynix has no objection to this Court granting North Carolina an extension of

1 time to November 7, 2008, in which to answer Hynix's interrogatories. As a basis for said  
2 Stipulation, North Carolina states the following:

- 3 1. Beginning on September 11, 2008, when Hurricane Ike shut down oil production  
4 and refining in the Gulf of Mexico, and continuing through this date, counsel for  
5 the State of North Carolina has been completely occupied with initiating,  
6 supervising and pursuing approximately 40 (and growing) simultaneous  
7 investigations of price gouging on motor fuel in North Carolina. Many of these  
8 investigations are detailed and time-consuming. These investigations have  
9 resulted thus far in two settlements and the filing of one enforcement action in  
10 court, with many more settlements and/or enforcement actions in process.
- 11 2. That work, done at the direction of counsel's management, has not allowed  
12 counsel to devote attention to other important matters, including working with the  
13 appropriate state agencies, that are not under the direction or control of counsel or  
14 the North Carolina Department of Justice, to obtain their responses to defendant  
15 Hynix's interrogatories.

16 WHEREFORE, the State of North Carolina and Defendants Hynix Semiconductor, Inc.  
17 and Hynix Semiconductor America, Inc. agree and stipulate that the State of North Carolina shall  
18 have an Extension of Time until November 7, 2008, to Answer Defendant Hynix's  
19 Interrogatories.

20  
21 DATED: October 27, 2008  
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1 Respectfully submitted,

2 STATE OF NORTH CAROLINA

O'MELVENY & MYERS LLP

3 By Its Attorney General,  
4 ROY COOPER  
5 ATTORNEY GENERAL

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

6  
7  
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By: /Katherine Robison/  
Katherine Robison  
Counsel  
  
Attorneys for Defendants  
HYNIX SEMICONDUCTOR, INC.  
and HYNIX SEMICONDUCTOR  
AMERICA, INC., *and with respect  
to this Stipulation only.*

13  
14 **ORDER**

15 THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

16  
17 DATED: October 28, 2008

