

1 PETER W. JAMES, Bar No. 041410  
 2 BAKER & HOSTETLER LLP  
 3 12100 Wilshire Boulevard, 15th Floor  
 4 Los Angeles, California 90025-7120  
 Telephone: 310.820.8800  
 Facsimile: 310.820.8859  
 Email: pjames@bakerlaw.com

5 Attorneys for Plaintiff  
 6 ALL AMERICAN SEMICONDUCTOR, INC.

7 ROBERT W. TURKEN (*pro hac vice*)  
 8 SCOTT N. WAGNER (*pro hac vice*)  
 9 BILZIN SUMBERG BAENA PRICE  
 & AXELROD LLP  
 200 South Biscayne Boulevard  
 Suite 2500  
 Miami, FL 33131  
 Telephone: 305.374.7580  
 Facsimile: 305.374.7593  
 Email: rturken@bilzin.com  
 swagner@bilzin.com

12 Attorneys for Plaintiff  
 13 ALL AMERICAN SEMICONDUCTOR, INC.

14  
 15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

18  
 19 ALL AMERICAN SEMICONDUCTOR, INC.,

20 Plaintiff,

21 v.

22 HYNIX SEMICONDUCTOR, INC., a Korean  
 23 corporation, et al.,

24 Defendants.

Case No. C-07-01200 PJH

Assigned for all purposes to the  
 Honorable Phyllis J. Hamilton

STIPULATION OF DISMISSAL AND  
~~PROPOSED~~ ORDER AS TO HYNIX  
 SEMICONDUCTOR INC. AND  
 HYNIX SEMICONDUCTOR  
 AMERICA INC.

25  
 26  
 27  
 28  
 C-07-01200 PJH

STIPULATION OF DISMISSAL AND ~~PROPOSED~~  
 ORDER AS TO HYNIX SEMICONDUCTOR INC. AND  
 HYNIX SEMICONDUCTOR AMERICA INC.

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

**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 attorneys' fees. This dismissal shall not apply to or affect any other defendant in this action.

**IT IS SO STIPULATED AND AGREED.**

Dated: January 14, 2010

**BILZIN SUMBERG BAENA  
PRICE & AXELROD LLP**

By:           /s/Scott N. Wagner            
Scott N. Wagner

*Counsel for All American Semiconductor,  
Inc.*

Dated: January 14, 2010

**O'MELVENY & MYERS LLP**

By:           /s/ Michael Tubach            
Michael Tubach

*Counsel for Hynix Semiconductor Inc. and  
Hynix Semiconductor America Inc.*

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

**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/ Scott N. Wagner  
Scott N. Wagner

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

**PROPOSED ORDER**

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

Dated: 1/19/10





**SERVICE LIST**

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

Robert B. Pringle, Esq.  
Paul R. Griffin, Esq.  
Jonathan E. Swartz, Esq.  
THELEN REID BROWN RAYSMAN &  
STEINER LLP  
101 Second Street  
Suite 1800  
San Francisco, CA 94105  
Telephone: (415) 371-1200  
Facsimile (415) 371-1211

Attorneys for Defendants  
NEC Electronics America, Inc. and  
NEC Electronics Corp.

Harrison J. Frahn IV, Esq.  
Isabelle Anne Young  
James Glenn Kreissman  
Jason Matthew Bussey  
Michele Elizabeth Kemmerling  
Simpson Thacher Bartlett LLP  
2550 Hanover Street  
Palo Alto, CA 94304  
Telephone: (650) 251-5000  
Facsimile: (650) 251-5002

Attorneys, for Defendants  
Elpida Memory, Inc. and  
Elpida Memory (USA) Inc.

Kenneth Ryan O'Rourke  
Paul Benedict Salvaty  
Steven H. Bergman  
O'Melveny & Myers LLP  
400 South Hope Street  
Los Angeles, CA 91608  
Telephone: (213) 430-6000  
Facsimile: (213) 430-6407

Attorneys for Defendants  
Hynix Semiconductor, inc. and Hynix  
Semiconductor America, Inc

Julian Brew, Esq.  
Aton Arbisser  
Joshua Stewart Stambaugh Kaye Scholer LLP  
1999 Avenue of the Stars Suite 1600  
Los Angeles, CA 90067  
Telephone: (310) 788-1000  
Facsimile: (310) 788-1200

Attorneys for Defendants  
Infineon Technologies AG and  
Infineon Technologies North America Corp.

Joel S. Sanders, Esq.  
George Charles Nierlich, III  
Joshua David Hess Michael Cecchini  
Gibson, Dunn & Crutcher LLP  
One Montgomery Street, Suite 1300  
San Francisco, CA 94104  
Telephone: (415) 393-8200  
Facsimile: (415) 374-8439

Attorneys for Defendants  
Micron Technology, Inc. and Micron  
Semiconductor Products, Inc.

1 Robert E. Freitas, Esq.  
Nail Benjamin, Esq.  
2 Orrick Herrington & Sutcliffe LLP  
1000 Marsh Road  
3 Menlo Park, CA 94025  
Telephone: (650) 614-7400  
4 Facsimile: (650) 614-7402

Attorneys for Defendants  
Nanya Technology Corporation USA and  
Nanya Technology Corporation

5 Howard M. Ullman, Esq.  
Orrick, Herrington & Sutcliffe LLP  
6 The Orrick Building  
405 Howard Street  
7 San Francisco, CA 94105  
Telephone: (415) 773-5700/5652  
8 Facsimile: (415) 773-5759

Attorneys for Defendant  
Nanya Technology Corporation

9 Gary Halling, Esq.  
10 James L. McGinnis, Esq.  
Mona Solouki, Esq.  
11 Sheppard, Mullin, Richter & Hampton LLP  
4 Embarcadero Center  
12 17<sup>th</sup> Floor  
San Francisco, CA 94111  
13 Telephone: (415) 774-3210  
14 Facsimile: (415) 403-6054

Attorney for Defendants  
Samsung Electronics Co., Ltd. and Samsung  
Semiconductor, Inc.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28