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Attorneys for Defendant  
SUNLINK CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(OAKLAND DIVISION)

SUNPOWER CORPORATION, SYSTEMS, a  
Delaware corporation,

Plaintiff and Counterdefendant,

vs.

SUNLINK CORPORATION, a Delaware  
corporation,

Defendant and Counterclaimant.

Case No. C 08-2807-SBA

**SUNPOWER CORPORATION SYSTEMS  
AND SUNLINK CORPORATION'S  
JOINT STIPULATED REQUEST FOR  
ORDER AMENDING THE CURRENT  
CASE SCHEDULE**

PATENT CASE

1 Pursuant to Civil Local Rule 6-2 SunPower Corporation, Systems (“SunPower”) and  
2 SunLink Corporation (“SunLink”) respectfully submit the following Stipulated Request for an  
3 Order Amending some dates in the Order for Pretrial Preparation in Patent Cases, dated March 10,  
4 2009. The proposed modifications to the schedule do not alter any dates for filings with, or  
5 hearings before, the Court.

6 I. BACKGROUND

7 The Court’s schedule currently provides for fact discovery to close on August 3, 2009.  
8 The parties, however, have agreed to schedule some depositions after August 3, 2009 because  
9 some witnesses, including third-party witnesses are not available until later in August. The  
10 parties, thus, propose moving the close of discovery by 18 days, which will allow the parties to  
11 complete fact discovery before expert reports are due. The parties also propose slight  
12 modifications to the schedule regarding the exchange of expert reports.

13 The only other time modifications in this matter were by stipulation. The parties  
14 stipulated that SunLink could serve its Invalidity Contentions on August 29, 2008 when the  
15 previous due date had been August 25, 2008. Declaration of Craig Compton at ¶ 3. The parties  
16 further agreed to exchange preliminary claim construction positions on October 8, 2008 when then  
17 previous date had been September 24, 2008. Id. The parties also stipulated to moving the claim  
18 construction briefing schedule because SunLink had noticed a witness for deposition and the  
19 deposition had to be postponed due to the passing of the witness’ father. Id.

20 Below is the parties proposed change to the Court’s schedule:

21 II. STIPULATION

22 For the reasons stated above, SunPower and SunLink hereby stipulate to the following  
23 modification to the case’s schedule:

24

Event	Current Date	Proposed Date
Close of Fact Discovery	August 3, 2009	August 21, 2009
Opening Expert Reports	August 24, 2009	September 4, 2009
Rebuttal Expert Reports	September 22, 2009	September 30, 2009
Expert Discovery Cut-Off	October 9, 2009	October 16, 2009
Last Day to hear motions	December 1, 2009	NO CHANGE

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DATED: July 2, 2009

FISH & RICHARDSON P.C.

/s/ Craig R. Compton  
Craig R. Compton

Attorneys for Plaintiff and Counterdefendant  
SUNPOWER CORPORATION, SYSTEMS

DATED: July 2, 2009

DURIE TANGRI PAGE LEMLEY ROBERTS  
& KENT LLP

/s/ Michael H. Page  
Michael H. Page

Attorneys for Defendant and Counterclaimant,  
SUNLINK CORPORATION

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under  
penalty of perjury that concurrence in the filing of this document has been obtained from Michael  
H. Page.

DATED: July 2, 2009

FISH & RICHARDSON P.C.


/s/ Craig R. Compton  
Craig R. Compton

Attorneys for Plaintiff and Counterdefendant  
SUNPOWER CORPORATION, SYSTEMS

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: July 7, 2009

  
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Honorable Sandra Brown Armstrong  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I am employed in the County of San Mateo. My business address is Fish & Richardson P.C., 500 Arguello Street, Suite 500, Redwood City, California 94063. I am over the age of 18 and not a party to the foregoing action.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for personal delivery, for mailing with United States Postal Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

On July 7, 2009, I caused a copy of the following document(s):

**SUNPOWER CORPORATION SYSTEMS AND SUNLINK CORPORATION'S JOINT  
STIPULATED REQUEST FOR ORDER AMENDING THE CURRENT CASE  
SCHEDULE**

to be served on the interested parties in this action by placing a true and correct copy thereof, enclosed in a sealed envelope, and addressed as follows:

Michael Page  
Daralyn Durie  
**DURIE TANGRI PAGE LEMLEY  
ROBERTS & KENT LLP**  
332 Pine St., Suite 200  
San Francisco, CA 94104  
Telephone: (415) 362-6666  
Facsimile: (415) 236-6300  
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Attorneys for Defendant  
SUNLINK CORPORATION

- MAIL:** Such correspondence was deposited, postage fully paid, with the United States Postal Service on the same day in the ordinary course of business.
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Such correspondence was given on the same day in the ordinary course of business to an authorized courier or a driver authorized by that courier to receive documents.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury that the above is true and correct. Executed on July 7, 2009, at Redwood City, California.

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Wendy M. Hobbs

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