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SUNLINK CORPORATION

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 (OAKLAND DIVISION)
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22 SUNPOWER CORPORATION, SYSTEMS, a
Delaware corporation,

23 Plaintiff and Counterdefendant,

24 vs.

25 SUNLINK CORPORATION, a Delaware
26 corporation,

27 Defendant and Counterclaimant.
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Case No. C 08-2807-SBA

**SUNPOWER CORPORATION SYSTEMS
AND SUNLINK CORPORATION'S
JOINT STIPULATION AND ORDER
REGARDING ALTERNATIVE DISPUTE
RESOLUTION DEADLINE**

PATENT CASE

1 Sunpower Corporation, Systems (“SunPower”) and SunLink Corporation (“SunLink”)
2 respectfully submit the following stipulation and [Proposed] Order.

3 I. BACKGROUND

4 In September the parties met and conferred and participated in a telephone conference with
5 the ADR Department where it was agreed that the parties would schedule a mediation session
6 within 30 days of receipt of the Court’s Claim Construction Order. On October 1, 2008 the parties
7 participated in a Case Management Conference before your Honor and orally presented their joint
8 proposal regarding timing for participation in the Alternate Dispute Resolution program. The
9 Court confirmed that scheduling a mediation session within 30 days of the Claim Construction
10 Order was acceptable.

11 II. STIPULATION

12 SunPower and SunLink hereby stipulate that they will schedule and participate in a
13 mediation session within 30 days of receipt of the Court’s Claim Construction Order.

14 DATED: November 11, 2008

FISH & RICHARDSON P.C.

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16 /s/ Craig R. Compton
Craig R. Compton

17 Attorneys for Plaintiff and Counterdefendant
18 SUNPOWER CORPORATION, SYSTEMS

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20 DATED: November 11, 2008

QUINN EMANUEL URQUHART OLIVER
& HEDGES, LLP

21
22 /s/ Morgan W. Tovey
Morgan W. Tovey

23 Attorneys for Defendant and Counterclaimant,
24 SUNLINK CORPORATION

25 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under
26 penalty of perjury that concurrence in the filing of this document has been obtained from Morgan
27 W. Tovey.

28 ///

11 DATED: November 11, 2008

FISH & RICHARDSON P.C.

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/s/ Craig R. Compton

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Craig R. Compton

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Attorneys for Plaintiff and Counterdefendant
SUNPOWER CORPORATION, SYSTEMS

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: November 13 , 2008



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Honorable Sandra Brown Armstrong
United States District Court Judge

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