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20 Attorneys for Plaintiff, NETLIST, INC.

21
 22 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 23 **OAKLAND DIVISION**

24 NETLIST, INC.,

25 Plaintiff,

26 v.

27 GOOGLE INC.,

28 Defendant.

Case No. 09-05718 SBA

Related to: 08-04144 SBA

**STIPULATION AND ORDER RE
 SETTLEMENT CONFERENCE**

1 WHEREAS, on February 2, 2010 the Court issued an Order Denying Joint Motion to
2 Consolidate, wherein the Court required the parties file a joint statement and proposed order
3 specifying whether they preferred to have both Google Inc. v. Netlist, Inc., Case No. 08-4144,
4 and Netlist, Inc. v. Google Inc., Case No. 09-5718 (“the Cases”) referred to a Magistrate Judge
5 for an early settlement conference or proceed before a private mediator;

6 WHEREAS, the parties have met and conferred on the issue;

7 IT IS HEREBY STIPULATED THAT:

8 1. The parties elect to have the Cases referred to a Magistrate Judge for an early settlement
9 conference;

10 2. While the parties are in agreement that such settlement conference should proceed
11 before a Magistrate Judge, they have not yet reached agreement on the specific Magistrate Judge
12 to handle such settlement conference. The parties intend to continue to meet and confer on this
13 issue and will report back to the Court no later than Monday, February 22, 2010.

14
15 Dated: February 16, 2010

ADRIAN M. PRUETZ
PRUETZ LAW GROUP LLP

16
17
18 By: /s/ Adrian M. Pruetz
ADRIAN M. PRUETZ

19 Attorneys for Plaintiff
20 NETLIST, INC.

21 Dated: February 16, 2010

KING & SPALDING LLP

22
23 By: /s/ Geoffrey M. Ezgar
GEOFFREY M. EZGAR

24 Attorneys for Defendant
25 GOOGLE INC.

1 **DECLARATION OF CONSENT**

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

5
6 Dated: February 16, 2010


KING & SPALDING LLP

7
8 By: /s/ Geoffrey M. Ezgar
GEOFFREY M. EZGAR

9 Attorneys for Defendant
10 GOOGLE INC.

11
12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 Dated: February 17, 2010

14 
15 Sandra Brown Armstrong
16 United States District Judge