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 11 Attorneys for Plaintiff
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 13 UNITED STATES DISTRICT COURT FOR THE
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 OAKLAND DIVISION

16 GOOGLE INC.
 17 Plaintiff,
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 19 v.
 20 NETLIST, INC.,
 21 Defendant.

Civil Action No. C08 04144 SBA
 [Related to Civil Action No. C09-05718 SBA]

**[PROPOSED] ORDER GRANTING
 GOOGLE INC.'S MOTION FOR
 SUMMARY JUDGMENT OF
 INVALIDITY**

Date: July 27, 2010
 Time: 1:00pm
 Place: Courtroom 3
 Judge: Hon. Sandra Brown Armstrong

1 This Court has review Plaintiff Google Inc.’s (“Google”) Motion for Summary Judgment
2 of Invalidity; Netlist, Inc.’s (“Netlist”) Opposition thereto; the declarations and other evidence
3 submitted in support of and in opposition to that motion; and heard arguments of counsel. The
4 Court finds that claims 1 and 11 of United States Patent No. 7,289,386 are invalid for failing to
5 comply with the written description requirement of 35 U.S.C. § 112(1).

6 Accordingly, the Court hereby GRANTS Plaintiff Google Inc.s Motion for Summary
7 Judgment of Invalidity in its entirety.
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10 **IT IS SO ORDERED.**

11 Dated: _____

12 _____
13 Hon. Sandra B. Armstrong

14 UNITED STATES DISTRICT JUDGE
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