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The Hon. Bernard Zimmerman

November 10, 2009

Re: Bender v. Intersil Corporation, Case No. C 09-01155 CW- Motion to Compel

Dear Judge Zimmerman:

In the October 29, 2009, telephone conference with you and counsel for Intersil Corporation, you stated that we could have until November 15, 2009 (an extra five days from the November 10, 2009, deadline you set) if it were needed to complete the amended infringement contentions and claim charts, and that we should call your office to provide notice of such requirement. My son Steven, who is my technical advisor, and I both have been ill with the flu. I called your calendar clerk to state that we needed the extra five days and she stated that I should send a letter to such effect to you and that counsel for Intersil Corporation would receive a copy of the letter via such e-filing. Thank you for your kind consideration.

/S/ David N. Kuhn

*David N. Kuhn*  
12 Nov 09  
*Bernard Zimmerman*