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11 ***Attorneys for Emerging Markets Communications,***
 12 ***Inc. and EMC Satcom Technologies, LLC***

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 OAKLAND DIVISION

16 APPLIED SIGNAL TECHNOLOGY,
 17 INC.

18 Plaintiff,

19 v.

20 EMERGING MARKETS
 21 COMMUNICATIONS, INC., EMC
 22 SATCOM TECHNOLOGIES, INC.,
 PARADISE DATACOM, LLC, and
 VIASAT, INC.,

23 Defendants.

Case No. 09-CV-02180-SBA

STIPULATED REQUEST TO
 RELIEVE EMERGING MARKETS
 COMMUNICATIONS, INC. AND
 EMC SATCOM TECHNOLOGIES,
 INC. FROM COMPLIANCE WITH
 THE CASE MANAGEMENT
 CONFERENCE SCHEDULING
 ORDER

24 AND RELATED COUNTERCLAIMS
 25

1 Defendants Emerging Markets Communications, Inc., EMC Satcom
2 Technologies, Inc. (collectively “EMC”) request, and plaintiff and counter-
3 defendant, Applied Signal Technology, Inc. (“AST”), third-party defendant
4 Comtech EF Data Corp. (“Comtech”), and defendants/counterclaimants Paradise
5 Datacom, LLC and ViaSat, Inc. (“Paradise and ViaSat”) do not oppose, that the
6 Court relieve EMC from the upcoming requirements and deadlines set forth in the
7 Case Management Conference Scheduling Order (Docket #148) due to EMC’s
8 agreement to settle with AST.

9 At the July 22, 2010 settlement conference before Magistrate Judge
10 Zimmerman, EMC and AST and Comtech reached a settlement in principal. When
11 finalized, this settlement will result in a full and final settlement of the dispute
12 between EMC and AST and Comtech, including EMC’s dismissal from this
13 litigation. The settlement between EMC and AST and Comtech does not affect the
14 dispute between Paradise, ViaSat, AST, and Comtech.

15 EMC, AST, and Comtech wish to temporarily cease litigating their dispute in
16 order to focus on finalizing their settlement agreement, and Paradise and ViaSat do
17 not oppose such a request. Good cause exists because the requested relief will
18 allow EMC to avoid the undue burden that would result from devoting time and
19 money on preparing unnecessary claim construction papers, and the requested relief
20 will not prejudice the other parties.

21 As to the parties other than EMC, this stipulation will not alter the Case
22 Management Conference Schedule entered by the Court on August 2, 2010 (Docket
23 #148).

24 Accordingly, it is hereby stipulated that EMC be relieved from the upcoming
25 requirements set forth in the Case Management Conference Schedule for a period
26 of five weeks, ending September 3, 2010. It is further stipulated that all parties be
27 further relieved from providing responses to outstanding discovery obligations or
28 any other scheduled exchange of information or filings as between EMC and AST

1 and Comtech and as between EMC and ViaSat and Paradise. Plaintiff AST shall
2 file a notice of dismissal, or jointly with EMC file a joint status report on the
3 progress of settlement, by September 3, 2010.

4
5 Date: August 5, 2010

SANDERS & PARKS P.C.

6
7 /s/ Rick N. Bryson

Rick N. Bryson

8 ATTORNEYS FOR PLAINTIFF/COUNTER-
9 DEFENDANT APPLIED SIGNAL
10 TECHNOLOGY AND THIRD-PARTY
11 DEFENDANT COMTECH EF DATA CORP.

12 Date: August 5, 2010

HARNESS, DICKEY & PIERCE, PLC

13 /s/ Douglas A. Robinson

Douglas A. Robinson

14 ATTORNEYS FOR DEFENDANTS
15 EMERGING MARKETS COMMUNICATIONS,
16 INC. and EMC SATCOM TECHNOLOGIES,
17 INC.

18
19 Date: August 5, 2010

FISH & RICHARDSON P.C.

20
21 /s/ Christopher Marchese

Christopher Marchese

22 ATTORNEYS FOR DEFENDANTS/COUNTER-
23 PLAINTIFFS PARADISE DATACOM, LLC
24 AND VIASAT, INC.

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ORDER

Pursuant to stipulation, it is hereby ordered that Defendants Emerging Markets Communications, Inc., EMC Satcom Technologies, Inc. are relieved from any and all requirements as set forth in the Case Management Conference Scheduling Order for the period ending September 3, 2010. All parties are further relieved from providing responses to outstanding discovery obligations or any other scheduled exchange of information or filings as between EMC and AST and Comtech and as between EMC and ViaSat and Paradise. Plaintiff AST shall file a notice of dismissal, or a joint status report with EMC on the progress of settlement, by September 3, 2010.

Dated: 8/12/10



SAUNDRA BROWN ARMSTRONG
JUDGE, UNITED STATES DISTRICT COURT

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