

1 Joseph E. Walsh, Jr. (*admitted pro hac vice*)
 jwalsh@hdp.com
 2 Rudolph A. Telscher (*admitted pro hac vice*)
 rtelscher@hdp.com
 3 Douglas A. Robinson (*admitted pro hac vice*)
 drobinson@hdp.com
 4 HARNESS DICKEY & PIERCE, P.L.C.
 7700 Bonhomme, Suite 400
 St. Louis, MO 63105
 5 Tel: (314) 726-7500; Fax: (314) 726-7501

6 Philip J. Wang, Bar No. 218349
 phil@philwanglaw.com
 7 The Law Office of Philip J. Wang
 160 Bovet Road, Suite 310
 San Mateo, CA 94402-3100
 8 Tel: (650)521-9020

9 *Attorneys for Emerging Markets Communications,*
 10 *Inc. and EMC Satcom Technologies, LLC*

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 OAKLAND DIVISION

14 APPLIED SIGNAL TECHNOLOGY, INC.

Case No. 09-CV-02180-SBA

15 Plaintiff,

16 v.

17 EMERGING MARKETS
 COMMUNICATIONS, INC., EMC
 18 SATCOM TECHNOLOGIES, INC.,
 PARADISE DATACOM, LLC, and
 VIASAT, INC.,

19 Defendants.

**JOINT STATUS REPORT ON
 THE PROGRESS OF
 SETTLEMENT BETWEEN
 APPLIED SIGNAL
 TECHNOLOGY, INC.,
 COMTECH EF DATA CORP.,
 EMERGING MARKETS
 COMMUNICATIONS, INC., AND
 EMC SATCOM
 TECHNOLOGIES, INC. AND
 REQUEST FOR EXTENSION OF
 RELIEF FROM THE CASE
 MANAGEMENT SCHEDULING
 CONFERENCE ORDER**

1 Pursuant to the Court's order dated September 28, 2010 (Dkt. No. 172),
2 defendants Emerging Markets Communications, Inc., EMC Satcom Technologies,
3 Inc. (collectively "EMC"), plaintiff and counter-defendant, Applied Signal
4 Technology, Inc. ("AST"), and third-party defendant Comtech EF Data Corp.
5 ("Comtech"), submit this joint status report on the progress of settlement.

6 As previously reported to the Court, AST, Comtech, and EMC agreed at the
7 settlement conference before Magistrate Judge Zimmerman to settle their dispute.
8 The parties have exchanged written draft settlement license proposals and are in
9 general agreement on most license terms, though certain terms are still subject to
10 ongoing negotiation.

11 On September 22, 2010, the parties filed a Joint Status Report requesting
12 additional time to finalize their settlement to October 25, 2010. The Court granted
13 that extension on September 28. Since the last Joint Status Report, the parties have
14 continued to work diligently to finalize their license agreement, including through
15 exchange of additional draft settlement terms and conversations between the
16 parties' counsel, which has further narrowed the remaining issues. However, due
17 to a number of factors, including the many unusual and customized provisions
18 being negotiated, the parties continue to work diligently to finalize their agreement.
19 As such, the parties respectfully and jointly stipulate and request that the Court
20 extend its September 28, 2010 order granting relief from the Case Management
21 Order for a period of twenty eight (28) days from the existing date of October 25,
22 2010 to Monday, November 22, 2010. The parties will continue to work diligently
23 during this time to finalize their settlement license agreement, which the parties
24 continue to expect will result in the dismissal of the EMC entities from this
litigation.

1 Date: October 25, 2010

HARNESS, DICKEY & PIERCE, PLC

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3 /s/ Rudolph A. Telscher
4 Rudolph A. Telscher
5 ATTORNEYS FOR DEFENDANTS
6 EMERGING MARKETS
7 COMMUNICATIONS, INC. and EMC
8 SATCOM TECHNOLOGIES, INC.

9 Date: October 25, 2010

SANDERS & PARKS P.C.

10 /s/ Rick N. Bryson
11 Rick N. Bryson
12 ATTORNEYS FOR PLAINTIFF/
13 COUNTER-DEFENDANT APPLIED
14 SIGNAL TECHNOLOGY AND THIRD-
15 PARTY DEFENDANT COMTECH EF
16 DATA CORP.
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1 **ORDER**

2 Pursuant to stipulation, it is hereby ordered that the Court's September 28,
3 2010 order (Dkt. No. 172) granting relief from the Case Management Conference
4 Scheduling Order is extended 28 days from the existing date of October 25, 2010
5 to November 22. Plaintiff Applied Signal Technology, Inc. shall file a notice of
6 dismissal, or a joint status report with EMC on the progress of settlement, by
7 November 22, 2010.

8 Date: 10/27/10

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10 SAUNDRA BROWN ARMSTRONG
11 JUDGE, UNITED STATES DISTRICT COURT
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