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17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**  
 19 **OAKLAND DIVISION**

20 **POWERTECH TECHNOLOGY, INC.**

21 Plaintiff,

22 v.

23 **TESSERA, INC.**

24 Defendant.

Case No: CV 10-00945 CW

**STIPULATION AND ORDER TO  
 CHANGE TIME PURSUANT TO CIVIL  
 LOCAL RULE 6-2**

**[DECLARATION OF GINA A. BIBBY  
 FILED CONCURRENTLY HEREWITH]**

Date: May 6, 2010  
 Time: 2:00 p.m.  
 Courtroom: Courtroom 2, 4th Floor

1 IT IS HEREBY STIPULATED by and between Plaintiff Powertech Technology, Inc.  
2 (“Plaintiff”) and Defendant Tessera, Inc. (“Defendant”), by and through their counsel of record  
3 as follows:

4 WHEREAS Defendant filed its Motion to Dismiss for Lack of Subject Matter  
5 Jurisdiction (“Motion”) on April 1, 2010, and Plaintiff was served on April 1, 2010;

6 WHEREAS the hearing on Defendant’s Motion is noticed for May 6, 2010 at 2:00 p.m.

7 WHEREAS the current deadline for Plaintiff to file its Opposition to Defendant’s Motion  
8 is April 15, 2010;

9 WHEREAS the current deadline for Defendant to file its Reply to Plaintiff’s Opposition  
10 is April 22, 2010;

11 WHEREAS pursuant to stipulation filed March 26, 2010, the deadline for responding to  
12 the complaint was extended by one week to April 5, 2010, and there have been no other previous  
13 time modifications in the case, whether by stipulation or Court order;

14 WHEREAS because Plaintiff’s counsel will be traveling out of this Country the week of  
15 April 12, 2010, the week Plaintiff’s Opposition is currently due, the Plaintiff and Defendant  
16 respectfully request the Court to extend the Plaintiff’s time to file its Opposition to the  
17 Defendant’s Motion to April 22, 2010; extend the Defendant’s time to file its Reply to the  
18 Plaintiff’s Opposition to April 29, 2010; and continue the hearing on Defendant’s Motion to  
19 May 13, 2010;

20 NOW, THEREFORE, pursuant to Civil Local Rule 6-2, the undersigned parties hereby  
21 stipulate and respectfully request the Court order as follows:

- 22 1. The hearing on Defendant’s Motion to Dismiss for Lack of Subject Matter  
23 Jurisdiction shall be continued from May 6, 2010 to May 13, 2010.
- 24 2. Plaintiff’s Opposition shall be due on April 22, 2010.
- 25 3. Defendant’s Reply shall be due on April 29, 2010.

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SO STIPULATED.

Dated: April 5, 2010

Foley & Lardner LLP

By: /s/ Gina A. Bibby  
Gina A. Bibby  
Attorneys for Plaintiff  
Powertech Technology, Inc.

Dated: April 5, 2010


Irell & Manella LLP

By: /s/ Kenneth J. Weatherwax  
Kenneth J. Weatherwax  
Attorneys for Defendant  
Tessera, Inc.

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 7, 2010

  
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The Honorable Claudia Wilken  
United States District Judge