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Attorneys for Defendants and Counterclaimants  
 INCASE DESIGNS, INC., BEST BUY CO. INC.  
 BESTBUY.COM LLC and BEST BUY STORES  
 LP

14 Attorneys for Plaintiff and Counter-  
 15 Defendant TECHSHELL, INC.

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

18 TECHSHELL, INC.,

19 Plaintiff,

20 v.

21 INCASE DESIGNS, INC. et al,

22 Defendants.

Case No. 4-11-cv-04576-YGR

**STIPULATION AND ~~PROPOSED~~ ORDER**  
**GRANTING LEAVE TO AMEND**  
**ANSWERS AND COUNTERCLAIMS**

1 Plaintiff and Counter-Defendant Techshell Inc. (“Techshell”), Defendant and  
2 Counterclaimant Incase Designs Inc. (“Incase”), and Defendants Best Buy Company Inc.,  
3 BestBuy.com LLC and Best Buy Stores LP (the “Best Buy Defendants”) stipulate as follows:

4 1. Discovery in this matter is ongoing;

5 2. Incase and the Best Buy Defendants have recently identified certain facts during  
6 discovery that, they assert, would support a defense based on inequitable conduct and, for Incase,  
7 a corresponding counterclaim;

8 3. The Best Buy Defendants seek leave from this Court to amend their responsive  
9 pleading to include such a defense. Incase seeks leave from this Court to amend its responsive  
10 pleading to include such a defense and related counterclaim;

11 4. Techshell, while disputing the validity of such a defense, does not object to these  
12 amendments;

13 5. The parties agree that amendment will not delay in the orderly resolution of this  
14 matter including but not limited to any postponement of the July 8, 2013 trial date.

15 6. Accordingly, Techshell and Incase stipulate that Incase may amend its Answer  
16 and Counterclaims, in the form of the attached Exhibit A.

17 7. Accordingly, Techshell and the Best Buy Defendants stipulate that the Best Buy  
18 Defendants may amend their Answer, in the form of the attached Exhibit B.

19 SO STIPULATED:

20 /s/ Stephen R. Risley  
21 Stephen R. Risley  
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Attorney for Incase Designs, Inc., Best Buy  
Company Inc., BestBuy.com LLC and Best  
Buy Stores LP

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: August 10, 2012

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

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**ATTESTATION OF CONCURRENCE**

I, Brian E. Mitchell, hereby attest that I am one of the attorneys for Defendants, and, as the ECF user and filer of this document, I attest that, pursuant to General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from the above signatory.

Dated: August 3 2012                      By: /s/ Brian E. Mitchell