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August 24, 2012

BY CM/ECF

The Honorable Phyllis J. Hamilton
United States District Court Northern District of California
1301 Clay Street, Courtroom 3 - 3rd Floor
Oakland, CA 94612

Re: *Altis Semiconductor SNC v. Qimonda Licensing LLC., et al.*, Case No.: 12-cv-3227

Dear Judge Hamilton:

Pursuant to this Court's Order Setting a Case Management Conference issued on July 6, 2012, Plaintiff Altis Semiconductor SNC respectfully requests a continuance of the Case Management Conference which is currently scheduled for September 6, 2012.

In this case there are three defendants: Qimonda Licensing LLC, Qimonda AG, and Qimonda North America Corp. Plaintiff served Defendant Qimonda Licensing LLC on August 15, 2012 and filed a proof of service with the Court on August 21, 2012. However, Defendant Qimonda AG, which filed for insolvency in Germany on January 23, 2009, has through U.S. counsel for its bankruptcy administrator, informed Plaintiff of its position that (i) Qimonda AG's insolvency proceeding in Germany has been recognized under Chapter 15 of the Bankruptcy Code in the Eastern District of Virginia; (ii) and all claims against Qimonda AG in this case should be subject to an automatic stay under 11 U.S.C. § 362. Plaintiff also understands that defendant Qimonda North America is involved in a separate bankruptcy proceeding in the District of Delaware.

Plaintiff disagrees with Qimonda AG's position as to the application of automatic stay, but has refrained from completing service on the two bankrupt entities in this action because of the potential application of the stay.

August 24, 2012

Plaintiff is presently engaged with counsel for Qimonda AG's foreign bankruptcy administrator on the most expeditious way to resolve the dispute regarding the application of the automatic stay to this case. Pending such a resolution, good cause exists to reschedule the Case Management Conference to a later date in October 2012.

Dated: August 24, 2012

Respectfully submitted,

WHITE & CASE LLP

By: /s/ Bijal V. Vakil
Bijal V. Vakil

Attorney for Plaintiff
Altis Semiconductor SNC

cc: Clerk of Court (by CM/ECF)

CASE MANAGEMENT CONFERENCE
CONTINUED TO 11/8/12 AT 2:00 PM.

