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12 THE PEER GROUP INC. and PEER
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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

18 SEMICONDUCTOR EQUIPMENT AND
19 MATERIALS INTERNATIONAL, a California
Corporation,

20 Plaintiff,

21 v.

22 THE PEER GROUP INC., an Ontario, Canada
23 Corporation, and PEER INTELLECTUAL
PROPERTY INC., an Ontario, Canada
24 Corporation,

25 Defendants.

Case No.: 15-cv-00866

~~PROPOSED~~ ORDER

1 Having considered Plaintiff Semiconductor Equipment and Materials International's
2 (SEMI) motion to strike Defendants' defenses (Document No. 27), and Defendants' statement of
3 nonopposition, request for leave to amend, and request to vacate the hearing, it is hereby

4 ORDERED that:

- 5 (1) Defendants' first defense – failure to state a claim – is stricken without leave to
6 amend;
- 7 (2) Defendants' second defense – lack of subject matter jurisdiction – is stricken with
8 leave to amend;
- 9 (3) Defendants' third defense – licensee estoppel – is stricken with leave to amend;
- 10 (4) The hearing set for June 9, 2015 is vacated; and
- 11 (5) Defendants are granted leave to amended their answer, which shall be filed and
12 served within (14) days of the date of this Order.

13 IT IS SO ORDERED.

14
15 Dated: May 14 , 2015


The Honorable Yvonne Gonzalez Rogers
United States District Court Judge