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26 *Attorneys for Plaintiffs*

27 (Attorneys for Defendants listed on following page)

28 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

29 ROBIN BERMAN, BO KANG,
 30 KHASHAYAR MIRFAKHRAEI, THANG
 31 VAN VU, DONNA VIERA-CASTILLO,
 32 GIRISH RAMESH, PATRICK HANLEY,
 33 ILANA SHTERNSHAIN and MANDY
 34 SCHWARZ,

35 Plaintiffs,

36 v.

37 MICROCHIP TECHNOLOGY
 38 INCORPORATED, a corporation; ATMEL
 39 CORPORATION, a corporation; and ATMEL
 40 CORPORATION U.S. SEVERANCE
 41 GUARANTEE BENEFIT PROGRAM, an
 42 employee benefit plan,

43 Defendants.

44 Case No. 4:17-CV-1864-HSG

45 **STIPULATION AND ORDER TO EXTEND**
DEADLINE TO FILE CROSS- MOTION FOR
SUMMARY JUDGMENT AND TO RESPOND
TO AND REPLY ISO PLAINTIFFS' MOTION
FOR PARTIAL SUMMARY JUDGMENT

46 Hearing Date: October 7, 2021
 47 Time: 2:00 p.m.
 48 Courtroom: 2, Floor 4
 49 Judge: Hon. Haywood S. Gilliam, Jr.

50 Action Filed: April 4, 2017
 51 Trial Date: May 2, 2022

1 **DEFENSE COUNSEL:**

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1 Plaintiffs Robin Berman, Bo Kang, Khashayar Mirfakhraei, Thang Van Vu, Donna Viera-
2 Castillo, Girish Ramesh, Patrick Hanley, Ilana Shternshain and Mandy Schwarz (collectively
3 “Plaintiffs”) and Defendants Microchip Technology Incorporated (“Microchip”), Atmel Corporation
4 (“Atmel”) and Atmel Corporation U.S. Severance Guarantee Benefit Program (“Severance Program”
5 and, collectively with Microchip and Atmel, “Defendants”) hereby file this joint stipulation
6 regarding the briefing schedule for Plaintiffs’ pending motion for partial summary judgment, filed
7 July 23, 2021. *See* Dkt. 145.

8 On July 23, Plaintiffs filed their motion for partial summary judgment and noticed the
9 hearing for October 7, 2021 at 2:00 p.m. Defendants’ opposition to that motion is currently due on
10 August 6, 2021.

11 Plaintiffs have agreed to extend until 12:00 p.m. PDT on Monday, August 23, 2021 the
12 deadline for Defendants to file a combined (1) cross-motion for partial summary judgment and (2)
13 opposition to plaintiffs’ motion for partial summary judgment.¹ Defendants have in turn agreed to
14 extend until September 9, 2021 Plaintiffs’ deadline to file a combined (1) opposition to Defendants’
15 cross-motion and (2) reply in support of Plaintiffs’ motion for partial summary judgment. Plaintiffs
16 have also agreed to extend until September 23, 2021 the deadline for Defendants to file a reply in
17 support of their cross-motion for summary judgment. This agreed-upon briefing schedule will permit
18 the parties to keep the current hearing date of October 7, 2021.

19 Accordingly, Plaintiffs and Defendants hereby stipulate, by and through their respective
20 attorneys of record and subject to court approval, that Defendants’ time to file a combined cross-
21 motion for summary judgment and opposition to Plaintiffs’ motion for partial summary judgment
22 shall be extended until 12:00 p.m. PDT on Monday, August 23, 2021; that Plaintiffs’ deadline to file
23 their combined opposition to Defendants’ cross-motion and reply in support of their motion for
24 partial summary judgment shall be extended until September 9, 2021; and that Defendants’ time to
25 file a reply in support of their cross-motion for summary judgment shall be extended to September
26

27 ¹ Defendants will be filing by noon on August 23 because of a vacation conflict for one of
28 plaintiffs’ counsel later that week. Defendants have agreed to that arrangement.

1 23, 2021.

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Respectfully submitted on August 5, 2021

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By: s/ Michael Rubin

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

1. Defendants' deadline to file a combined cross-motion for partial summary judgment and opposition to Plaintiffs' motion for partial summary judgment shall be and is extended until 12:00 p.m. PDT on Monday, August 23, 2021;
2. Plaintiffs' deadline to file their combined opposition to Defendants' cross-motion and reply in support of their motion for partial summary judgment shall be and is extended until September 9, 2021; and
3. Defendants' deadline to file a reply in support of their cross-motion for partial summary judgment shall be and is extended until September 23, 2021.

Dated: 8/9/2021


The Hon. Haywood S. Gilliam, Jr.
United States District Judge