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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re INFINEON TECHNOLOGIES AG  
SECURITIES LITIGATION

Master File No. C-04-4156-JW

This Document Relates To:  
  
ALL ACTIONS

**CLASS ACTION**  
**FINDING AS MOOT**  
**STIPULATION AND [PROPOSED]**  
**ORDER GRANTING PARTIES'**  
**REQUEST TO SUBMIT**  
**ADDITIONAL BRIEFING IN**  
**CONNECTION WITH**  
**PLAINTIFFS' PENDING MOTION**  
**FOR CLASS CERTIFICATION**  
**[DOC. 237]**

Dept.: Courtroom 8, 4th floor  
Judge: Honorable James Ware

1 WHEREAS, on January 9, 2009, the Court heard oral argument on Plaintiffs' Motion for  
2 Class Certification (Doc. 237) and took the matter under submission;

3 WHEREAS, during the January 9 hearing, Defendants argued that Plaintiffs sought to  
4 invoke for the first time on reply certain presumptions of reliance (Doc. 269 at 13:21-14:24) and  
5 Defendants moved to introduce into the record a handout of cases responding to the presumptions  
6 of reliance;

7 WHEREAS, Plaintiffs objected to the introduction of Defendants' handout, which the  
8 Court sustained;

9 WHEREAS, Defendants in turn requested that the Court not consider the presumptions of  
10 reliance raised by Plaintiffs, which the Court agreed not to consider;

11 WHEREAS, the Court suggested that the parties meet and confer after the hearing to  
12 determine whether the parties could reach agreement on submitting the handout and supplemental  
13 briefing on the presumptions of reliance to the Court; and

14 WHEREAS, the parties have met and conferred and have reached agreement on the  
15 supplemental briefing to be submitted to the Court;

16 IT IS HEREBY STIPULATED by and between the parties in this action, through their  
17 counsel of record, that:

18 The parties agree to withdraw the objections described above. Defendants submit the  
19 handout of cases and 2-page brief regarding those cases attached as Exhibits A and B,  
20 respectively. Plaintiffs submit the 2-page brief attached as Exhibit C.

21 Dated: January 27, 2009

MORRISON & FOERSTER LLP

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23 By: Philip T. Besirof [e-filing signature]  
Philip T. Besirof

24  
25 425 Market Street  
San Francisco, California 94105-2482  
26 Telephone: 415.268.7000  
Facsimile: 415.268.7522  
27 Email: pbesirof@mof.com

28 Attorneys for Defendants

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Dated: January 27, 2009

COUGHLIN STOIA  
GELLER RUDMAN & ROBBINS LLP  
JOHN K. GRANT

By: John K. Grant [e-filing signature]  
John K. Grant

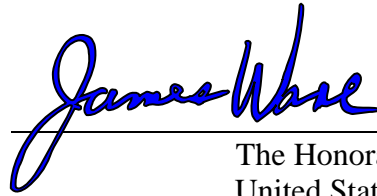
100 Pine Street, 26th Floor  
San Francisco, CA 94111  
Telephone: 415/288-4545  
415/288-4534 (fax)  
E-mail: johnkg@csgrr.com

Attorneys for Plaintiffs

 **[PROPOSED] ORDER**

The Stipulated request is found as MOOT. The Court has already issued an Order on Class Certification. Please see the Court's Order on March 6, 2009, Docket Item No. 280.

Dated: March 13, 2009



The Honorable James Ware  
United States District Judge

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**ECF ATTESTATION**

I, Mark D. Gursky, am the ECF User whose ID and Password are being used to file:

**STIPULATION AND [PROPOSED] ORDER GRANTING PARTIES’  
REQUEST TO SUBMIT ADDITIONAL BRIEFING IN CONECTION  
WITH PLAINTIFFS’ PENDING MOTION FOR CLASS CERTIFICATION  
[DOC. 237]**

In compliance with General Order 45, X.B., I hereby attest that Philip T. Besirof and  
John K. Grant have concurred in this filing.

Dated: January 27, 2009

MORRISON & FOERSTER LLP

By: /s/ Mark D. Gursky [e-filing signature]