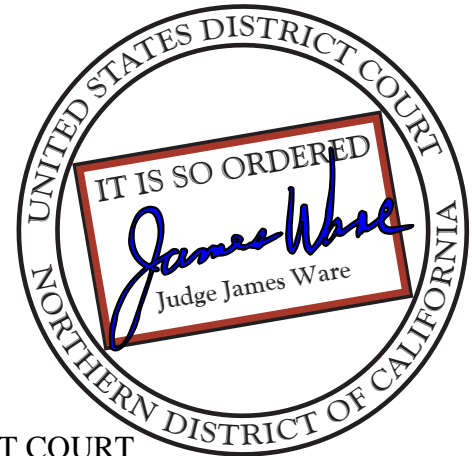


1 All counsel listed on signature page

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

AVAGO TECHNOLOGIES GENERAL IP  
PTE LTD. and AVAGO TECHNOLOGIES  
ECBU IP PTE LTD., organized and  
incorporated under the laws of Singapore,

Plaintiffs and Counterclaim-Defendants,

vs.

ELAN MICROELECTRONICS CORP., a  
Taiwanese corporation, and ELAN  
INFORMATION TECHNOLOGY GROUP, a  
California Corporation,

Defendants and Counterclaim-Plaintiff.

Case No. 5:04-cv-05385-JW

**STIPULATION AND [PROPOSED]  
ORDER NARROWING ISSUES FOR  
TRIAL**

Plaintiffs Avago Technologies General IP PTE LTD and Avago Technologies ECBU IP PTE LTD (“Avago”) and Defendant Elan Microelectronics Corporation agree and stipulate as follows:

1) Elan Microelectronics Corporation (“Elan”) hereby voluntarily submits to the jurisdiction of this Court, for this lawsuit and any appeals therefrom, without any admission of plaintiff’s allegations of fact that Avago has contended support personal jurisdiction over Elan.

2) Avago hereby formally moves to dismiss, with prejudice, Elan Information Technology Group as a defendant in this action.

1           3)     Avago also hereby moves to dismiss, with prejudice, all claims against Elan for  
2 direct or indirect infringement of Claim 16 of U.S. Patent No. 5,786,804 (“the ’804 patent”).

3           4)     Elan hereby moves to dismiss, with prejudice, its counterclaims against Avago for  
4 declaratory judgment of invalidity of Claim 16 of the ’804 patent and for declaratory judgment  
5 of noninfringement of Claim 16.  
6

7 Dated: February 5, 2009

Respectfully submitted,

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10 Los Angeles, California 90067-4276  
11 Telephone: (310) 277-1010

12 By: /s/Richard E. Lyon  
13 Richard E. Lyon

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16 Avago Technologies ECBU IP PTE Ltd.

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23 By: /s/Elizabeth Rader  
24 Elizabeth H. Rader

25 Attorneys for Defendants  
26 ELAN MICROELECTRONICS CORP. and  
27 ELAN INFORMATION TECHNOLOGY GROUP

28 Pursuant to General Order No. 45, Section X, I attest under penalty of perjury that concurrence  
in the filing of this document has been obtained from Elizabeth Rader.

Dated: February 5, 2009

/s/ Richard E. Lyon

*James Ware*  
~~PROPOSED~~ ORDER

**PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:**

1) This Court's jurisdiction over Elan Microelectronics Corporation is admitted and Avago need not prove this Court's jurisdiction at trial.

2) Elan Information Technology Group is hereby DISMISSED with prejudice as a defendant in this action, and any and all claims and counterclaims asserted by or against Elan Information Technology Group are hereby DISMISSED with prejudice.

3) Avago's claims against Elan for direct or indirect infringement of Claim 16 of U.S. Patent No. 5,786,804 ("the '804 patent") are DISMISSED with prejudice.

4) Elan's counterclaims against Avago for declaratory judgment of invalidity of Claim 16 of the '804 patent and for declaratory judgment of noninfringement of Claim 16 are DISMISSED with prejudice.

**IT IS SO ORDERED.**

Dated: February 19, 2009

*James Ware*  
\_\_\_\_\_  
JAMES WARE  
UNITED STATES DISTRICT JUDGE