

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

AVAGO TECHNOLOGIES GENERAL IP  
PTE LTD. and AVAGO TECHNOLOGIES  
ECBU IP PTE LTD.,

Plaintiffs,

vs.

ELAN MICROELECTRONICS CORP.,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. 04-05385 JW (HRL)

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE  
AND MOTION FOR CERTIFICATION  
FOR INTERLOCUTORY APPEAL**

Plaintiffs Avago Technologies General IP PTE LTD and Avago Technologies ECBU IP PTE LTD (collectively, "Avago"), by and through their undersigned counsel, and Defendant Elan Microelectronics Corp. ("Elan"), by and through its undersigned counsel, hereby stipulate as follows:

WHEREAS, the parties have been engaged in and are continuing to engage in settlement discussions;

WHEREAS, the parties believe that good cause exists for a short continuance of the November 2, 2009 Case Management Conference to allow the parties additional time to try to

1 reach a binding resolution of this lawsuit;

2 THE PARTIES HEREBY STIPULATE, by and through their respective counsel, and  
3 respectfully request that the Court continue the November 2, 2009 Case Management Conference  
4 to **December 7, 2009** at 10 a.m. The parties shall submit a Case Management Conference  
5 Statement by **November 27, 2009**.

6  
7 Dated: October 22, 2009.

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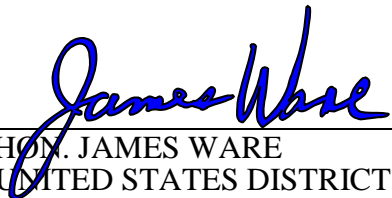
27 By: \_\_\_\_\_/s/\_\_\_\_\_  
28 Elizabeth H. Rader

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**IT IS SO ORDERED AS MODIFIED**

The Court GRANTS the parties a brief continuance of the Case Management Conference. On December 7, 2009 at 10 a.m., the parties shall appear for a Case Management Conference. On or before November 27, 2009, the parties shall file a Case Management Conference Statement. The Court also continued Defendants' Motion for Certification for Interlocutory Appeal (Docket Item No. 721) from November 23, 2009 to **December 7, 2009 at 9:00 AM**. The parties may stipulated to a briefing schedule but all briefing shall be completed on or before **November 13, 2009**.

Dated: October 22, 2009

By   
HON. JAMES WARE  
UNITED STATES DISTRICT JUDGE