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NVIDIA CORPORATION, NVIDIA US INVESTMENT  
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GAITHER, A. BROOKE SEAWELL, WILLIAM J. MILLER,  
10 TENCH COXE, MARK A. STEVENS, HARVEY C. JONES

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

15  
16 CARRAMERICA REALTY CORPORATION,  
a Maryland real estate investment trust,

17 Plaintiff,

18 v.

19 NVIDIA CORPORATION, et al.,

20 Defendants.

CV 05-00428 JW

21 STIPULATION AND [PROPOSED] ORDER  
22 SETTING BRIEFING SCHEDULE FOR  
23 DEFENDANT NVIDIA'S MOTION TO  
24 DISMISS CARRAMERICA'S FIFTH  
25 AMENDED COMPLAINT AND MOTION FOR  
26 RULE 11 SANCTIONS

27 Room: 8  
28 Judge: The Hon. James Ware

1 **STIPULATION**

2 WHEREAS on October 23, 2009, the Court GRANTED plaintiff CarrAmerica Realty  
3 Corp. leave to file its Fifth Amended Complaint, and accepted that Complaint as the operative  
4 Complaint in this action;

5 WHEREAS by Order entered on October 23, 2009, the Court set NVIDIA's anticipated  
6 Motion to Dismiss for hearing on February 1, 2010 at 9:00 a.m., and ordered all briefing to be  
7 completed on or before January 8, 2010;

8 WHEREAS on October 26, 2009, NVIDIA informed CarrAmerica that it anticipates  
9 noticing its Motion for Sanctions Under Federal Rule of Civil Procedure 11 for hearing at the  
10 same time as NVIDIA's Motion to Dismiss CarrAmerica's Fifth Amended Complaint.

11 NOW THEREFORE the parties hereby agree and stipulate as follows:

- 12 1. NVIDIA's Motion to Dismiss CarrAmerica's Fifth Amended Complaint shall be  
13 filed on or before Monday, November 9, 2009.
- 14 2. NVIDIA's Motion for Sanctions Under Federal Rule of Civil Procedure 11 shall  
15 be filed on Monday, November 23, 2009, with service on CarrAmerica to be made  
16 on Friday, October 30, 2009.
- 17 3. CarrAmerica's Oppositions to NVIDIA's Motion to Dismiss and NVIDIA's  
18 Motion for Rule 11 Sanctions shall be due on or before Monday, December 14,  
19 2009.
- 20 4. NVIDIA's Reply Briefs in Support of its Motion to Dismiss and Motion for Rule  
21 11 Sanctions shall be due on or before Friday, January 8, 2010.

22 **SO STIPULATED.**

23  
24 Dated: October 30, 2009

25 By: /s/ Jimmy McBirney

26 Jimmy McBirney

27 ORRICK HERRINGTON & SUTCLIFFE LLP  
28 Counsel for the NVIDIA Defendants

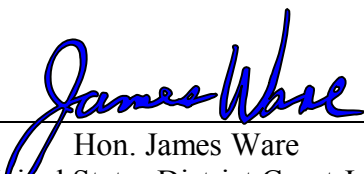
29 *I hereby attest that I have on file all holograph signatures for any signatures indicated by a*  
30 *"conformed" signature (/s/) within this efiled document*

1  
2  
3 Dated: October 30, 2009

By: /s/ Jonathan O'Donnell  
Jonathan O'Donnell  
MBV LAW LLP  
Attorneys for CarrAmerica Realty Corp.

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6  
7 **Pursuant to the stipulation, and GOOD CAUSE appearing, IT IS SO ORDERED,**

8  
9 Dated: November 4, 2009

  
Hon. James Ware  
United States District Court Judge