

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

JOHN H. HEMANN (SBN 165823)  
JOSEPH E. FLOREN (SBN 168292)  
THOMAS R. GREEN (SBN 203480)  
MATTHEW S. WEILER (SBN 236052)  
**MORGAN, LEWIS & BOCKIUS LLP**  
One Market, Spear Street Tower  
San Francisco, CA 94105-1126  
Tel: 415.442.1000  
Fax: 415.442.1001  
Email: jhemann@morganlewis.com  
jfloren@morganlewis.com  
tgreen@morganlewis.com  
mweiler@morganlewis.com



Attorneys for Nominal Defendant KLA-Tencor Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

In re KLA-TENCOR CORP.  
SHAREHOLDER DERIVATIVE  
LITIGATION

---

This Document Relates To:  
  
ALL ACTIONS

Case No. C06-3445-JW

**JOINT STATEMENT REGARDING  
MEDIATION**

Courtroom: 8, 4th Floor  
280 South 1st Street  
San Jose, CA 95113

Judge: Judge James Ware

1           On January 16, 2009 this Court ordered the parties, consistent with their prior stipulation,  
2 to inform the Court by January 26, 2009 of the mediator and mediation dates to which they had  
3 agreed, should an agreement be reached, or their positions regarding a mediator and mediation  
4 dates should no agreement be reached. The parties have reached an agreement to mediate the  
5 case before the Honorable Layn Phillips, one of the original mediators suggested by plaintiff.  
6 Defendants' insurers have also indicated that they are willing to submit the matter to Judge  
7 Phillips for mediation.

8           Judge Phillips has informed the parties that he can be available to mediate the case on two  
9 consecutive days (February 26 and 27). Defendants have communicated their availability to  
10 mediate the case on those days. Plaintiffs have communicated potential conflicts on those dates  
11 which they hope to resolve. All parties have nevertheless committed to mediate the case within  
12 60 days. Accordingly, the parties jointly request the Court to order the parties to mediate the case  
13 before Judge Phillips in the next 60 days.

14  
15 **IT IS SO STIPULATED.**

16 DATED: January 26, 2009

**MORGAN, LEWIS & BOCKIUS LLP**  
JOHN H. HEMANN  
JOSEPH E. FLOREN  
THOMAS R. GREEN  
MATTHEW S. WEILER

17  
18  
19  
20 By:                   /s/                    
                  Thomas R. Green

21 One Market, Spear Street Tower  
22 San Francisco, CA 94105-1126  
23 Telephone: (415) 442-1000  
Facsimile: (415) 442-1001

24 **Attorneys for Defendants Jeffrey L. Hall,**  
25 **Richard P. Wallace, Stephen P. Kaufman, and**  
26 **Nominal Defendant KLA-Tencor Corporation**

1 I, Thomas R. Green, am the ECF User whose ID and password are being used to file this  
2 **JOINT STATEMENT REGARDING MEDIATION.** In compliance with General Order 45,  
3 X.B., I hereby attest that each of the seven signatories identified below has concurred in this  
4 filing.

5 DATED: January 26, 2009

**COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP**  
SHAWN A. WILLIAMS  
CHRISTOPHER WOOD

6  
7  
8  
9 /s/  
SHAWN A. WILLIAMS

10 100 Pine Street, Suite 2600  
11 San Francisco, CA 94111  
12 Telephone: 415/288-4545  
415/288-4534 (fax)

13 **COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP**  
14 **DARREN J. ROBBINS**  
15 **TRAVIS E. DOWNS III**  
655 West Broadway, Suite 1900  
San Diego, CA 92101-3301  
16 Telephone: 619/231-1058  
619/231-7423 (fax)

17 **Lead Counsel for Plaintiffs**

18  
19 DATED: January 26, 2009

**FENWICK & WEST LLP**  
KEVIN P. MUCK  
DEAN S. KRISTY

20  
21  
22 By: \_\_\_\_\_ /s/  
Kevin P. Muck

23 555 California Street, 12th Floor  
24 San Francisco, CA 94104  
25 Tel. 415-875-2300  
Fax: 415-281-1350

26 **Attorneys for Defendants Edward W. Barnholt,**  
27 **H. Raymond Bingham, Robert J. Boehlke,**  
**Robert T. Bond, Richard J. Elkus, Jr., Leo**  
28 **Chamberlain, and Lida Urbanek**

1 DATED: January 26, 2009

**MORRISON & FOERSTER LLP**  
CRAIG D. MARTIN  
DOROTHY L. FERNANDEZ

2  
3  
4 By: \_\_\_\_\_ /s/  
Craig D. Martin

5 425 Market Street  
6 San Francisco, CA 94105-2482  
7 Tel. 415-268-7000  
8 Fax: 415-268-7522

**Attorneys for Defendant John H. Kispert**

9 DATED: January 26, 2009

**ORRICK, HERRINGTON & SUTCLIFFE**  
LLP  
WALTER F. BROWN, JR.  
ROBERT P. VARIAN

10  
11  
12 By: \_\_\_\_\_ /s/  
13 Robert P. Varian

14 405 Howard Street  
15 San Francisco, CA 94105  
16 Tel. 415-773-5700  
17 Fax: 415-773-5759

**Attorneys for Defendant Gary Dickerson**

18 DATED: January 26, 2009

**SHEARMAN & STERLING LLP**  
PATRICK D. ROBBINS  
JEFFREY S. FACTER  
EMILY GRIFFEN

19  
20  
21 By: \_\_\_\_\_ /s/  
Emily Griffen

22 525 Market Street, Suite 1500  
23 San Francisco, CA 94105  
24 Telephone: (415) 616-1100  
25 Facsimile: (415) 616-1199

**Attorneys for Defendant Kenneth Levy**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: January 26, 2009

**RAMSEY & EHRLICH LLP**  
ISMAIL RAMSEY  
MILES F. EHRLICH

By:                   /s/                    
                  Ismail Ramsey

803 Hearst Avenue  
Berkeley, CA 94710  
Telephone: 510-548-3600

**Attorneys for Defendant Arthur Schnitzer**

DATED: January 26, 2009

**HOGAN AND HARTSON LLP**  
MICHAEL J. SHEPARD  
MEGAN DIXON

By:                   /s/                    
                  Megan Dixon

4 Embarcadero Center 22nd Floor  
San Francisco, CA 94111  
Phone: (415) 374.2300  
Fax: (415) 374.2499