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E-Filed 1/20/2010

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Co-Lead Counsel for Lead Plaintiffs

[Additional counsel appear on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re SILICON STORAGE TECHNOLOGY,
INC., DERIVATIVE LITIGATION

Master File No. C 06-04310 JF

**STIPULATION AND [PROPOSED]
ORDER FOR MOTION TO DISMISS
BRIEFING SCHEDULE**

Trial Date: None

This Document Relates To:
ALL ACTIONS.

1 WHEREAS, on August 21, 2009, Lead Plaintiffs filed a Third Verified Consolidated
2 Amended Shareholder Derivative Complaint (“Amended Complaint”);

3 WHEREAS, on September 24, 2009, Defendants moved to dismiss the Amended
4 Complaint;

5 WHEREAS, a Case Management Conference and hearing for Defendants’ Motions to
6 Dismiss has been set for February 5, 2010;

7 WHEREAS, counsel for the parties are in the process of finalizing an agreement in
8 principle that was reached with the assistance of the Honorable William J. Cahill (Ret.) that would
9 resolve the litigation;

10 WHEREAS, the parties anticipate they will be in a position to submit to the Court shortly a
11 stipulation of settlement and motion for preliminary approval of the proposed settlement; and

12 WHEREAS, all parties agree that in the interests of judicial economy, Defendants’ Motions
13 to Dismiss and the Court’s Case Management Conference, both currently scheduled for hearing on
14 February 5, 2010, should be continued.

15 The parties hereby STIPULATE and AGREE, subject to Court approval, as follows:

16 1) Lead Plaintiffs shall file an opposition to Defendants’ Motions to Dismiss by April
17 8, 2010;

18 2) If Defendants file and serve a reply to Lead Plaintiffs’ opposition, they will do so by
19 April 16, 2010; and

20 3) The hearing on Defendants’ Motions to Dismiss or other responsive pleading and
21 Case Management Conference shall be set for April 30, 2010 or another day as ordered by the
22 Court.

23 By executing this Stipulation, the parties have not waived and expressly retain all claims,
24 defenses and arguments whether procedural, substantive or otherwise. This Stipulation is without
25 prejudice to any subsequent motion to stay this action, or any objections or defenses thereto, and
26 this Order is entered without prejudice to the rights of any party to apply for a modification of this
27 Order.
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IT IS SO STIPULATED.

DATED: January 12, 2010

Respectfully Submitted,

BARROWAY TOPAZ KESSLER
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/s/ Nichole Browning
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Co-Lead Counsel for Lead Plaintiffs

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DATED: January 12, 2010

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*Attorneys for Nominal Defendant, Silicon Storage
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DATED: January 12, 2010

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MATTHEW J. JACOBS

*Attorneys for Director Defendants Tsuyoshi Taira,
Yasushi Chikagami, Ronald Chwang, Terry
Nickerson, Bing Yeh and Yaw Wen Hu*

DATED: January 12, 2010

HOGAN & HARTSON LLP

/s/ Howard S. Caro
HOWARD S. CARO

Attorneys for Officer Defendant Jeffrey Garon

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Nichole T. Browning, attest that concurrence in the filing of this document has been obtained from the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 12th day of January, 2010, at San Francisco, California.

/s/ Nichole Browning
NICHOLE BROWNING

* * *

ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN HEREIN, IT IS SO ORDERED.

DATED: 1/20/2010


Judge of the U.S. District Court
Honorable Jeremy Fogel

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on January 12, 2010, I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF system which will send notification of such filing to the e-mail
4 addresses denoted on the attached Electronic Mail Notice List.

5 I certify under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct. Executed on January 12, 2010.

7 /s/ Nichole Browning
8 **NICHOLE BROWNING**

9 **BARROWAY TOPAZ KESSLER**
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1 **Mailing Information for a Case 5:06-cv-04310-JF**

2 **Electronic Mail Notice List**

3 The following are those who are currently on the list to receive e-mail notices for this case.

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1 **Manual Notice List**

2 The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case
3 (who therefore require manual noticing). You may wish to use your mouse to select and copy this
4 list into your word processing program in order to create notices or labels for these recipients.

- 5 • (No manual recipients)
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