

1 DARRYL P. RAINS (CA SBN 104802)
 KENNETH A. KUWAYTI (CA SBN 145384)
 2 BRIAN L. LEVINE (CA SBN 246726)
 MORRISON & FOERSTER LLP
 3 755 Page Mill Road
 Palo Alto, California 94304-1018
 4 Telephone: 650.813.5600
 Facsimile: 650.494.0792
 5 *DRains@mof.com*

****E-Filed 10/29/08****

6 Attorneys for Defendants FRANCIS BARTON, KRIS
 CHELLAM, DONALD COLVIN, PIERRE FOUGERE,
 7 NORMAN T. HALL, B. JEFFREY KATZ, CHAIHO KIM,
 STEVE LAUB, JACK PECKHAM, BERNARD
 8 PRUNIAUX, STEVEN SCHUMANN, DAVID
 SUGUSHITA, T. PETER THOMAS, GRAHAM TURNER,
 9 TSUNG-CHING WU AND NOMINAL DEFENDANT
 ATMEL CORPORATION

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

15 In re ATMEL CORPORATION DERIVATIVE
 LITIGATION

Master File No. CV 06-4592-JF

DERIVATIVE ACTION

17 _____
 18 This Document Related To:
 19 All Actions

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING CMC AND
 DEFENDANTS' DATE TO RESPOND
 TO COMPLAINT**

Date: November 21, 2008
 Time: 10:00 a.m.
 Dept.: 3, 5th Floor

Assigned to Judge Jeremy Fogel

1 Plaintiffs and defendants, through their respective counsel, present the following stipulation
2 to the Court for approval:

3 WHEREAS, defendants' date to respond to plaintiffs' Verified Amended Consolidated
4 Shareholder Derivative Complaint (the "Complaint") is currently due on or before December 4,
5 2008;

6 WHEREAS, a Case Management Conference is currently scheduled for November 21, 2008
7 at 10:30 a.m.;

8 WHEREAS, the parties had stipulated to these dates because they planned to participate in a
9 mediation to occur on October 24, 2008;

10 WHEREAS, the parties were unable to reach a resolution during the October 24, 2008
11 mediation, but agreed to continue the mediation on November 18, 2008;

12 WHEREAS, the parties agree that, for the convenience of the parties and the Court, and so
13 that the parties may focus on settlement efforts, the aforementioned dates should be extended.

14 THEREFORE, IT IS STIPULATED AND AGREED by the parties through their respective
15 counsel of record, that the defendants' date to respond to the Complaint shall be moved to January 5,
16 2009; and Case Management Conference shall be continued to January 9, 2009 at 10:30 a.m. or to
17 another date convenient for the Court.

18 Dated: October 28, 2008

MORRISON & FOERSTER LLP
DARRYL P. RAINS
KENNETH A. KUWAYTI
BRIAN LEVINE

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21
22 By: /s/ Brian L. Levine
Brian L. Levine

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24 Attorneys for Defendants FRANCIS BARTON, KRIS
CHELLAM, DONALD COLVIN, PIERRE FOUGERE,
25 NORMAN T. HALL, JEFFREY B. KATZ, CHAIHO KIM,
STEVE LAUB, JACK PECKHAM, BERNARD
26 PRUNIAUX, STEVEN SCHUMANN, DAVID
SUGUSHITA, T. PETER THOMAS, GRAHAM TURNER,
27 AND TSUNG-CHING WU AND NOMINAL
DEFENDANT ATMEL CORPORATION

1 Dated: October 28, 2008

SCHIFFRIN, BARROWAY TOPAZ & KESSLER, LLP
ERIC L. ZAGAR
NICHOLE BROWNING
TARA KAO

2
3
4
5 By: /s/ Nichole Browning
Nichole Browning

6 Co-Lead Counsel for Plaintiffs

7 Dated: October 28, 2008

WOLF HALDENSTEIN ADLER FREEMAN
& HERZ LLP
FRANCIS M. GREGOREK
BETSY C. MANIFOLD
FRANCIS A. BOTTINI, JR.
RACHELE R. RICKERT
MARISA C. LIVESAY

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9
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11
12 By: /s/ Betsy C. Manifold
Betsy C. Manifold

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14 Co-Lead Counsel for Plaintiffs

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16 I, Brian L. Levine, am the ECF User whose ID and password are being used to file this
17 Stipulation. In compliance with General Order 45, X.B., I hereby attest that the parties have
18 concurred in this filing.
19

20
21 **ORDER**

22 Pursuant to the parties' stipulation, IT IS SO ORDERED.

23
24 Dated: 10/29/08



JEREMY FOGEL
UNITED STATES DISTRICT COURT JUDGE