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**\*ORDER E-FILED 2/8/2008\***

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7 Attorneys for Non-Party  
KLA-TENCOR CORPORATION

8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

**\*\*MODIFIED BY THE COURT\*\***

13 SECURITIES AND EXCHANGE  
COMMISSION,

Case No. C 07 3798 JW (HRL)

14 Plaintiff,

**DEFENDANT KENNETH SCHROEDER'S  
AND NON-PARTY KLA-TENCOR  
CORPORATION'S STIPULATION AND  
~~PROPOSED~~ ORDER TO SHORTEN  
TIME ON KLA-TENCOR  
CORPORATION'S MOTION FOR  
PROTECTIVE ORDER**

15 vs.

16 KENNETH L. SCHROEDER,

17 Defendant.

MAGISTRATE JUDGE HOWARD R. LLOYD

19 DATE: FEBRUARY 12, 2008

20 TIME: 10:00 A.M.

DEPT.: COURTROOM 2, 5TH FLOOR (SJ)

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**STIPULATION AND PROPOSED ORDER**

Non-party KLA-Tencor Corporation (“KLA”) and Defendant Kenneth L. Schroeder respectfully submit this Stipulation and [Proposed] Order, pursuant to N.D. Cal. Civil Local Rules 6-2 and 7-12, asking the Court to hear KLA’s Motion for a Protective Order on shortened time.

WHEREAS KLA intends to file a Motion for a Protective Order seeking to postpone the deposition of its current and former officers, directors, employees, which Schroeder intends to oppose;

WHEREAS Schroeder has served a subpoena on former KLA director and officer Kenneth Levy commanding him to appear for deposition on February 14, 2008;

WHEREAS Schroeder has served deposition subpoenas on certain other current and former KLA officers, directors and employees commanding them to appear for deposition on various dates between now and March 31, 2008;

WHEREAS KLA and Schroeder agree that it is in their best interests for KLA’s Motion for a Protective Order to be heard before the depositions of Kenneth Levy and the other current and former KLA officers, directors and employees.

**IT IS HEREBY STIPULATED AND AGREED:**

1. Subject to the Court’s discretion, KLA’s Motion for a Protective Order will be heard on February 12, 2008 at 10:00 a.m. in this Court. KLA will file its Motion for a Protective Order on February 6, 2008. Schroeder’s Opposition will be due February 11, 2008.

DATED: February 6, 2008

MORGAN, LEWIS & BOCKIUS LLP

By: \_\_\_\_\_  
Thomas R. Green

**Attorneys for Non-Party KLA-Tencor Corporation**

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DATED: February 6, 2008

DLA PIPER US LLP

By: \_\_\_\_\_ /s/  
Jeffrey B. Coopersmith

**Attorneys for Defendant Kenneth L. Schroeder**

**O R D E R**

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**  
**at 10:00 a.m. in Courtroom 2.**

1. KLA's Motion for a Protective Order will be heard on February 12, 2008. <sup>^</sup>KLA will file its Motion for a Protective Order on February 6, 2008. Schroeder's Opposition will be due February 11, 2008. **by noon.**  
<sup>^</sup>

Dated: February 8, 2008

  
\_\_\_\_\_  
Hon. Howard R. Lloyd  
United States Magistrate Judge