

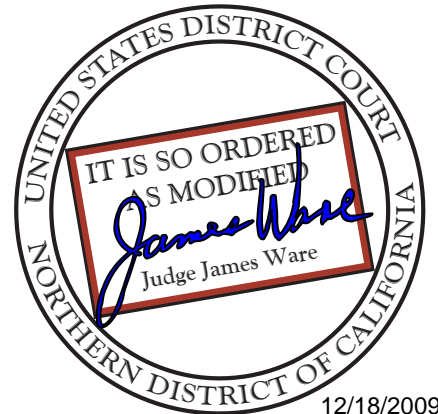
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 13 ADVANCED MICRO-FABRICATION EQUIPMENT, INC.
 CHINA, ADVANCED MICRO-FABRICATION
 14 EQUIPMENT, INC. ASIA, AND ADVANCED
 MICROFABRICATION EQUIPMENT INC.



12/18/2009

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

19 APPLIED MATERIALS, INC.,

20 Plaintiff,

21 v.

22 ADVANCED MICRO-FABRICATION
 23 EQUIPMENT, INC. CHINA, ADVANCED
 MICRO-FABRICATION EQUIPMENT, INC.
 24 ASIA, ADVANCED MICRO-FABRICATION
 EQUIPMENT INC.,

25 Defendants.

Case No. C07 05248 JW

STIPULATION AND
[PROPOSED] ORDER
REGARDING TIME FOR FILING
AND SUBMISSION OF MOTIONS
IN LIMINE AND DAUBERT
MOTIONS RELATED TO
COUNTERCLAIMS

1 WHEREAS, the parties have agreed that the deposition of AMEC's damages expert on its
2 counterclaims will proceed on December 16, 2009;

3 WHEREAS, the parties have agreed that the deposition of Applied's damages expert on
4 AMEC's counterclaims will proceed on December 30, 2009;

5 WHEREAS, the parties have agreed that any motions *in limine* or *Daubert* motions
6 directed at counterclaim experts should be filed at the same time; and

7 WHEREAS, the parties have agreed that any motions *in limine* or *Daubert* motions
8 directed at counterclaim experts will be due on **January 6, 2010** , that oppositions to such motions
9 shall be due **January 8, 2010** , and there will be no reply briefs;

10 THEREFORE, the Parties hereby STIPULATE as follows:

11 Any motions *in limine* or *Daubert* motions directed at counterclaim evidence or experts
12 will be due on **January 6, 2010** . Oppositions to such motions shall be due **January 8, 2010** .

13 There will be no reply briefs

14 Dated: December 15, 2009

KENNETH A. KUWAYTI
MARC J. PERNICK
MARC DAVID PETERS
PAUL F. COYNE
MORRISON & FOERSTER LLP

17 By: /s/ Marc J. Pernick
18 MARC J. PERNICK

19 Attorneys for Defendants

20 Dated: December 15, 2009

THOMAS F. FITZPATRICK
JOHN C. ENGLANDER
JAMES C. REHNQUIST
MICHAEL G. STRAPP
GOODWIN PROCTER LLP

23 By: /s/ Thomas F. Fitzpatrick
24 THOMAS F. FITZPATRICK

25 Attorneys for Plaintiff
26 APPLIED MATERIALS, INC.

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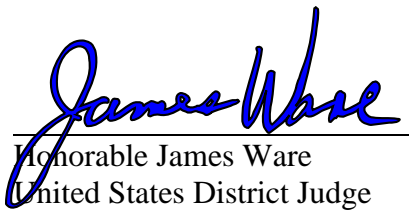
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.

Dated: December 18, 2009



Honorable James Ware
United States District Judge
Northern District of California

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ATTESTATION

I, Marc J. Pernick, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING TIME FOR FILING AND SUBMISSION OF MOTIONS *IN LIMINE* AND *DAUBERT* MOTIONS RELATED TO COUNTERCLAIMS. In compliance with General Order 45, X.B., I hereby attest that Thomas F. Fitzpatrick has concurred in this filing.

Dated: December 17, 2009

MORRISON & FOERSTER LLP

By: /s/ Marc J. Pernick
MARC J. PERNICK

Attorneys for Defendants