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2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4 (SAN JOSE DIVISION)

5 HALO ELECTRONICS, INC.,

6 Plaintiff,

7 v.

8 BEL FUSE INC., E & E MAGNETIC
9 PRODUCTS LIMITED, ELEC & ELTEK (USA)
10 CORPORATION, WURTH ELECTRONICS
11 MIDCOM, INC., WURTH ELEKTRONIK
12 GMBH & CO. KG, and XFMRs, INC.,

13 Defendants

Civil Case No. 07-6222 RMW

**STIPULATION AND [XXXXXXXXXXXXX
ORDER VACATING JULY 23, 2010
HEARING ON HALO'S MOTION TO
STRIKE AND EXTENDING THE TIME
FOR ELEC & ELTEK (USA)
CORPORATION AND E & E MAGNETIC
PRODUCTS LIMITED TO ANSWER AND
COUNTERCLAIM TO HALO'S FIRST
AMENDED COMPLAINT**

14 On March 19, 2010, Halo Electronics, Inc. ("Halo") filed a First Amended Complaint for
15 Patent Infringement ("First Amended Complaint") (Doc. No. 163).

16 On May 7, 2010, E & E Magnetic Products Limited filed a Rule 12(B) Motion to Dismiss
17 (Doc. No. 190).

18 On May 17, 2010, Elec & Eltek (USA) Corporation ("E&E (USA)") filed an Amended
19 Answer and Counterclaim to Halo's First Amended Complaint (Doc. No. 199).

20 On June 1, Halo filed a Motion to Strike the Eighth Affirmative Defense and Related
21 Inequitable Conduct Allegations in E&E (USA)'s Amended Answer and Counterclaim (Doc. No.
22 223), which is currently scheduled for hearing on July 23, 2010.

23 On June 21, 2010, Halo and EEMPL filed a Stipulated Motion and [Proposed] Order to
24 Withdraw E & E Magnetic Products Limited's Rule 12 Motion to Dismiss and a related motion to
25 compel by Halo ("Halo and EEMPL's Motion to Withdraw") (Doc. No. 249).

26 On June 23, 2010, the Court granted Halo and EEMPL's Motion to Withdraw (Doc. No.
27 253).

**STIPULATION AND [XXXXXXXXXX] ORDER
VACATING JULY 23, 2010 HEARING ON HALO'S
MOTION TO STRIKE AND EXTENDING THE
TIME FOR ELEC & ELTEK (USA) CORPORATION
AND E & E MAGNETIC PRODUCTS LIMITED TO
ANSWER AND COUNTERCLAIM TO HALO'S
FIRST AMENDED COMPLAINT**

1 In view of the above, the parties met and conferred telephonically on June 28, 2010 and
2 June 30, 2010 and agreed to hereby stipulate and respectfully propose the following:

- 3 1. E&E (USA)'s Amended Answer and Counterclaim (Doc. No. 199) shall be
4 withdrawn;
- 5 2. Halo's Motion to Strike (Doc. No. 223) shall be withdrawn and the hearing
6 currently set for July 23, 2010 shall be vacated; and
- 7 3. E&E (USA) and EEMPL shall file their answers, defenses, and counterclaims to
8 Halo's First Amended Complaint (Doc. No. 163) on or before July 23, 2010.

9 The parties do not believe that the proposed extension of time will alter the date of any
10 other event or deadline already fixed by Court Order.

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14 Respectfully submitted,

15 Dated: July 2, 2010

BAKER DONELSON BEARMAN CALDWELL
& BERKOWITZ, P.C.

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18 By: /s/ Michael J. Powell
Michael J. Powell

19 Attorneys for Defendants
20 ELEC & ELTEK (USA) CORPORATION and
21 E & E MAGNETIC PRODUCTS LIMITED
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1 Dated: July 2, 2010

FISH & RICHARDSON P.C.

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3 By: /s/ Michael J. Kane

4 Michael J. Kane

5 Attorneys for Plaintiff
6 HALO ELECTRONICS, INC.

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17 IT IS SO ORDERED.

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20 Dated: 7/14/10

Ronald M. Whyte

HONORABLE RONALD M. WHYTE
United States District Judge

1 Pursuant to the Northern District of California Electronic Filing Procedures and General
2 Order No. 45, I attest that concurrence in the filing of this document has been obtained from the
3 signatories listed above.

4
5 Dated: July 2, 2010

FISH & RICHARDSON P.C.

6 By: /s/ Sarah K. Casey

7 Sarah K. Casey

8 Attorney for Defendants

ELEC & ELTEK (USA) CORPORATION and

9 E & E MAGNETIC PRODUCTS LIMITED