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 CORPORATION and Defendant and
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11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15	NXP SEMICONDUCTORS USA, INC.,)	CASE NO. CV-08-00775 (JW & RS)
16)	
	Plaintiff,)	
17)	STIPULATION AND [PROPOSED]
	vs.)	ORDER TO CHANGE THE
18	LSI CORPORATION d/b/a LSI LOGIC)	HEARING DATE ON LSI/AGERE'S
19	CORPORATION, a Delaware Corporation,)	MOTION FOR SANCTIONS UNDER
20	and AGERE SYSTEMS, INC., a Delaware)	CIVIL L.R. 1-4
	corporation,)	
21)	
	Defendants.)	
22)	
23	AGERE SYSTEMS, INC., a Delaware)	
	corporation,)	
24)	
	Counterclaimant,)	
25)	
	vs.)	
26)	
	NXP SEMICONDUCTORS USA, INC.,)	
27	a Delaware corporation,)	
28)	
	Counterclaim-Defendant.)	

1 Defendants LSI Corporation and Agere Systems, Inc. (collectively, "LSI") and Plaintiff
2 NXP Semiconductors USA, Inc. ("NXP"), by and through their respective counsel, hereby submit,
3 pursuant to Civil L.R. 6-1(b), 6-2 and 7-12, this stipulated and agreed request that the Court move
4 the hearing date for LSI's Motion for Sanctions under Civil L.R. 1-4 from Wednesday, March 11,
5 2009 to Wednesday, February 25, 2009.

6 WHEREAS NXP filed a Motion for Legal Expenses under Fed. R. Civ. P. 37(a)(5)(A)
7 Pertaining to NXP's Motion to Compel LSI/Agere's Production of Documents Relating to U.S.
8 Patent No. 5,844,928 on January 15, 2009 in this matter and set such motion to be heard before
9 this Court on Wednesday, February 25, 2009;

10 WHEREAS LSI filed a Motion for Sanctions under Civil L.R. 1-4 in this matter on
11 February 4, 2009 and set such motion to be heard before this Court on Wednesday, March 11,
12 2009;

13 WHEREAS the Parties have fully briefed NXP's Motion for Legal Expenses under Fed. R.
14 Civ. P. 37(a)(5)(A) Pertaining to NXP's Motion to Compel LSI/Agere's Production of Documents
15 Relating to U.S. Patent No. 5,844,928 and are prepared to proceed with the hearing on
16 Wednesday, February 25, 2009;

17 WHEREAS LSI's Motion for Sanctions under Civil L.R. 1-4 will be fully briefed upon the
18 filing of NXP's Response Memorandum on February 18, 2009 and LSI's Reply Memorandum on
19 February 23, 2009 (if necessary);

20 WHEREAS the Parties would like their respective pending motions to be heard as quickly
21 as possible;

22 WHEREAS LSI has requested, and NXP does not object to, the hearing date on LSI's
23 Motion for Sanctions under Civil L.R. 1-4 being moved from March 11 to February 25 in order
24 that both Parties' motions may be heard on the same hearing date;

25 WHEREAS there have not been any previous modifications to the schedule for either of
26 the Parties' respective motions;

27 WHEREAS the requested time modification will have no effect on the schedule for the
28 case.

1 **IT IS HEREBY STIPULATED AND AGREED:**

2 Subject to the Court's approval, the hearing on LSI's Motion for Sanctions under Civil L.R.
3 1-4 shall be moved to February 25, 2009 to allow it to be heard on the same date as NXP's Motion
4 for Legal Expenses under Fed. R. Civ. P. 37(a)(5)(A) Pertaining to NXP's Motion to Compel
5 LSI/Agere's Production of Documents Relating to U.S. Patent No. 5,844,928.

6
7 Dated: February 12, 2009

MORGAN, LEWIS & BOCKIUS LLP

8
9 By: /s/ Brett M. Schuman

Brett M. Schuman

Attorneys for Plaintiff

10 NXP SEMICONDUCTORS USA, INC.

11
12 I, Zachariah Summers, am the ECF User whose ID and password are being used to file this
13 STIPULATION AND [PROPOSED] ORDER. In compliance with General Order 45, X.B., I
hereby attest that the signatory identified above has concurred in this filing.

14 Dated: February 12, 2009

IRELL & MANELLA LLP

15
16 By: /s/ Zachariah Summers

Zachariah Summers

17 Attorneys for Defendant LSI CORPORATION and
18 Defendant and Counterclaimant AGERE SYSTEMS,
INC.

19 **ORDER**

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

21 The hearing on LSI's Motion for Sanctions under Civil L.R. 1-4 shall be scheduled for
22 February 25, 2009 to allow it to be heard on the same date as NXP's Motion for Legal Expenses
23 under Fed. R. Civ. P. 37(a)(5)(A) Pertaining to NXP's Motion to Compel LSI/Agere's Production
24 of Documents Relating to U.S. Patent No. 5,844,928.

25
26 Dated: February 13, 2009



27 The Honorable Richard Seeborg
28 United States Magistrate Judge