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 CORPORATION and Defendant and
 Counterclaimant AGERE SYSTEMS, INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN JOSE DIVISION

E-FILED 9/3/08

14 NXP SEMICONDUCTORS USA, INC.,
 15 a Delaware corporation,

16 Plaintiff,

17 v.

18 LSI CORPORATION d/b/a LSI LOGIC
 CORPORATION, a Delaware corporation,
 19 and AGERE SYSTEMS, INC., a Delaware
 corporation

20 Defendants.

21 AGERE SYSTEMS, INC., a Delaware
 Corporation,

22 Counterclaimant,

23 v.

24 NXP SEMICONDUCTORS USA, INC., a
 Delaware corporation

25 Counterclaim-Defendant.

Case No. C 08-00775 JW

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO CHANGE THE HEARING
 DATE ON PLAINTIFF NXP
 SEMICONDUCTORS USA, INC.'S
 MOTION TO COMPEL**

1 Plaintiff NXP Semiconductors USA, Inc. (“NXP”) and Defendants LSI Corporation and
2 Agere Systems, Inc. (collectively, “LSI”), 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 Plaintiff NXP’s Motion to Compel from Wednesday, September 17, 2008 to
5 Wednesday, September 10, 2008.

6 WHEREAS LSI filed a Motion to Compel in this matter on August 6, 2008 and set such
7 motion to be heard before this Court on the first available hearing date of Wednesday, September
8 10, 2008;

9 WHEREAS NXP filed a Motion to Compel in this matter on August 11, 2008 and set
10 such motion to be heard before this Court on the first available hearing date of Wednesday,
11 September 17, 2008;

12 WHEREAS the Parties have fully briefed LSI’s Motion to Compel and are prepared to
13 proceed with the hearing on September 10, 2008;

14 WHEREAS NXP’s Motion to Compel will be fully briefed upon the filing of NXP’s
15 Reply Memorandum on Wednesday, September 3, 2008;

16 WHEREAS the Parties would like their respective pending motions to compel to be heard
17 as quickly as possible;

18 WHEREAS NXP has requested, and LSI does not object to, the hearing date on NXP’s
19 Motion to Compel being moved from September 17 to September 10 in order that both Parties’
20 motions may be heard on the same hearing date;

21 WHEREAS there have not been any previous modifications to the schedule for either of
22 the Parties’ respective Motions to Compel;

23 WHEREAS the requested time modification will have no effect on the schedule for the
24 case.

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

2 Subject to the Court's approval, the hearing on NXP's Motion to Compel shall be moved
3 to September 10, 2008 to allow it to be heard on the same date as LSI's Motion to Compel.

4
5 Dated: September 2, 2008

MORGAN, LEWIS & BOCKIUS LLP

6
7 By: /s/ Brett M. Schuman

8 Brett M. Schuman
9 Attorneys for Plaintiff
10 NXP SEMICONDUCTORS USA, INC.

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

14
15 Dated: September 2, 2008

IRELL & MANELLA LLP

16
17 By: /s/ C. Maclain Wells

18 C. Maclain Wells
19 Attorneys for Defendants
20 LSI CORPORATION and AGERE SYSTEMS, INC.

21 **ORDER**

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

23 The hearing on Plaintiff NXP's Motion to Compel shall be scheduled for Wednesday,
24 September 10, 2008 to allow it to be heard on the same date as LSI's Motion to Compel.

25 Dated: September 3, 2008

26 
27 The Honorable Richard Seeborg
28 United States Magistrate Judge