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8 Attorneys for Plaintiff  
 NXP SEMICONDUCTORS USA, INC.

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

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

15 Plaintiff,

16 v.

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

20 Defendants.

21 AGERE SYSTEMS, INC., a Delaware  
 Corporation,

22 Counterclaimant,

23 v.

24 NXP SEMICONDUCTORS USA, INC., a  
 25 Delaware corporation

26 Counterclaim-Defendant.

Case No. CV-08-0775 JW, RS

**STIPULATION REGARDING NXP'S  
 MOTION TO COMPEL LSI/AGERE'S  
 COMPLIANCE WITH THE STIPULATED  
 PROTECTIVE ORDER; [~~PROPOSED~~]  
 ORDER**

1 The above captioned parties NXP Semiconductors USA, Inc. (“NXP”), LSI Corporation  
2 d/b/a LSI Logic Corporation, and Agere Systems, Inc. (“collectively LSI/Agere”), by and through  
3 their respective attorneys, hereby enter this Stipulation to resolve NXP Semiconductor’s Motion  
4 to Compel LSI/Agere’s Compliance with the Stipulated Protective Order (“Motion to Compel”)  
5 (Doc. No. 59).

6 WHEREAS, on October 21, 2008, NXP filed its Motion to Compel (Doc. No. 59), and its  
7 Motion to Shorten Time Pursuant to L.R. 6-3 (“Motion to Shorten Time”) (Doc. No. 63);

8 WHEREAS, on October 22, 2008, LSI/Agere filed its Non-Opposition to NXP’s Motion  
9 to Shorten Time (Doc. No. 68);

10 WHEREAS, on October 22, 2008, this Court Granted NXP’s Motion to Shorten Time  
11 (Doc. No. 69);

12 WHEREAS, on October 22, 2008, this Court set NXP’s Motion to Compel for Hearing  
13 for October 27, 2008, at 1:30 p.m., telephonically;

14 WHEREAS, on October 23, 2008, LSI/Agere filed its Opposition to NXP’s Motion to  
15 Compel (Doc. No. 70);

16 WHEREAS, NXP and LSI/Agere now desire to resolve the issues raised by the Motion to  
17 Compel on the terms and conditions and subjection to the conditions of this Stipulation;

18 NOW, THEREFORE, in consideration of the mutual promises contained herein, and for  
19 other good and valuable consideration, the receipt and sufficiency of which is hereby  
20 acknowledged, it is hereby Stipulated and agreed to by and among the Parties, as follows:

21 1. Upon approval of this Stipulation by the Court, NXP’s Motion to Compel is  
22 resolved and the hearing scheduled for October 27, 2008 at 1:30 PM is taken off calendar.

23 2. This Stipulation shall apply to the deponent-witnesses Robert F. Lipscomb, James  
24 Tierney, James Lamar, and Thomas Briody (collectively “Witnesses”), provided that the  
25 Witnesses have executed Exhibit A to the Stipulated Protective Order.

26 3. The examining attorney may properly disclose to the Witnesses, during their  
27 depositions, any and all documents that have been produced by any party or non-party that relates  
28 to the 1987 PLA, as amended in 1995, including all license-related documents produced during

1 this phase of the litigation.

2 4. The examining attorney may properly disclose to the Witnesses, during their  
3 depositions, pages 1, 7, 8, and 9 (up through the end of the first supplemental response) of LSI  
4 Corporation's Supplemental Response to NXP Semiconductors USA, Inc.'s First Set of  
5 Interrogatories.

6 Dated: October 24, 2008

MORGAN, LEWIS & BOCKIUS LLP

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8  
9 By /s/ Brett M. Schuman

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

12  
13 Dated: October 24, 2008

IRELL & MANELLA LLP

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16 By /s/ Jason Sheasby

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Jason Sheasby  
Attorneys for Defendants  
LSI CORPORATION d/b/a LSI LOGIC  
CORPORATION, AGERE SYSTEMS,  
19 INC.  
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21 Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Brett M.  
22 Schuman, attest that concurrence in the filing of this document has been obtained from each of  
23 the other signatories. I declare under penalty of perjury under the laws of the United States of  
24 America that the foregoing is true and correct. Executed this 24th day of October, 2008, at San  
25 Francisco.

26  
27 /s/ Brett M. Schuman  
Brett M. Schuman

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~~PROPOSED~~ ORDER

Pursuant to the Parties' Stipulation set forth above, **IT IS SO ORDERED.**

Dated: 10/24/08



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RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE