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10 Attorneys for Defendant  
11 THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 INTEL CORPORATION, a Delaware  
15 Corporation,

16 Plaintiff,

17 v.

18 THE INSURANCE COMPANY OF THE  
19 STATE OF PENNSYLVANIA, a  
20 Pennsylvania Corporation, and DOES 1  
21 through 100, inclusive

22 Defendant.

**CASE NO. C08 03238 JF**

**STIPULATION AND ORDER  
REGARDING AMENDMENT OF  
ANSWER**

23 The undersigned counsel for plaintiff Intel Corporation ("Intel") and defendant The  
24 Insurance Company of the State of Pennsylvania ("ICSOP") stipulate as follows:

25 1. ICSOP may amend its answer in this action to assert an affirmative defense  
26 regarding arbitration of disputes over the appropriate rate to be paid to attorneys representing Intel  
27 in the underlying actions for which coverage is sought.

28 2. ICSOP may file the attached amendment to answer asserting this affirmative  
defense.

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Dated: <sup>November</sup> ~~October~~ 6, 2008

McCURDY & FULLER LLP

By Kevin G. McCurdy  
KEVIN G. McCURDY  
Attorneys for Defendant  
THE INSURANCE COMPANY OF THE  
STATE OF PENNSYLVANIA

Dated: October \_\_, 2008

HOWREY LLP

By \_\_\_\_\_  
LESTER O. BROWN  
FIONA A. CHANEY  
Attorneys for Plaintiff  
INTEL CORPORATION

IT IS SO ORDERED

DATED: 11/10/08 \_\_\_\_\_

Jeremy Fogel  
HONORABLE JEREMY FOGEL  
JUDGE OF THE UNITED STATES  
DISTRICT COURT

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McCURDY & FULLER LLP

By \_\_\_\_\_  
KEVIN G. McCURDY  
Attorneys for Defendant  
THE INSURANCE COMPANY OF THE  
STATE OF PENNSYLVANIA

Dated: *November* 6, 2008

HOWREY LLP

By \_\_\_\_\_  
LESTER O. BROWN  
FIOMA A. CHANEY  
Attorneys for Plaintiff  
INTEL CORPORATION

IT IS SO ORDERED

DATED: \_\_\_\_\_

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21 through 100, inclusive

22 Defendant.

CASE NO. C08 03238 JF

AMENDMENT TO ANSWER OF  
DEFENDANT THE INSURANCE  
COMPANY OF THE STATE OF  
PENNSYLVANIA

23 Defendant The Insurance Company of the State of Pennsylvania ("ICSOP") amends its  
24 answer, which was filed in this action on or about July 3, 2008 in the Superior Court for the  
25 County of Santa Clara, by adding the following affirmative defense:

26 **TWENTY SECOND AFFIRMATIVE DEFENSE**

27 ICSOP alleges that any dispute over the rates to be paid to attorneys defending Intel in the  
28 underlying actions must be resolved by arbitration as required under the ICSOP policy at issue in  
this action.

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