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 9 NVIDIA CORPORATION

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

13  
 14  
 15 The NVIDIA GPU Litigation

Case No. C 08-04312 JW

**STIPULATION REGARDING  
 NVIDIA'S RESPONSE TO SECOND  
 AMENDED CONSOLIDATED  
 COMPLAINT**

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1 WHEREAS, this Court in its Order Granting In Part and Denying In Part Defendant's  
2 Motion to Dismiss dated November 19, 2009 directed Plaintiffs to file their Second Amended  
3 Consolidated Complaint on or before December 14, 2009;

4 WHEREAS, Plaintiffs filed the Second Amended Consolidated Complaint on December  
5 14, 2009;

6 WHEREAS, NVIDIA Corporation's ("NVIDIA's") response to the Second Amended  
7 Consolidated Complaint must currently be filed by December 31, 2009;

8 WHEREAS, the parties are actively engaged in mediation as a possible resolution to this  
9 action and participated in their first mediation session on December 16, 2009;

10 WHEREAS, the parties currently have scheduled on January 8, 2009 a follow-up call with  
11 their mediator, the Honorable Layn R. Philips (Ret.), in order to further such discussions;

12 WHEREAS, in light of the holiday season, NVIDIA has scheduling issues which impact  
13 its ability to respond to the Second Amended Consolidated Complaint by December 31, 2009;

14 WHEREAS, an extension until January 15, 2010 for NVIDIA's response to the Second  
15 Amended Consolidated Complaint would allow the parties further opportunities to explore  
16 mediation as a means of resolving this action before responding to the Second Amended  
17 Consolidated Complaint; and

18 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and NVIDIA,  
19 through their counsel of record and Interim Lead Class Counsel for Plaintiffs, that NVIDIA may  
20 respond to the Second Amended Consolidated Complaint by January 15, 2010.

21  
22 Dated: December 30, 2009

ROBERT P. VARIAN  
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26 /s/ Joshua D. Watts  
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