

1 COUNSEL LISTED ON SIGNATURE PAGE

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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

<p>AVAGO TECHNOLOGIES U.S., INC., a Delaware corporation; and AVAGO TECHNOLOGIES ECBU IP (SINGAPORE) PTE., LTD., a Singapore corporation,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>MICROSOFT CORPORATION, a Washington corporation; and MARSHALL T. DEPUE a/k/a MARK DEPUE, an individual,</p> <p style="text-align: center;">Defendants.</p>

<p>CASE NO. C 08-05268-JF PVT</p> <p>STIPULATION PURSUANT TO CIVIL L.R. 6-2 EXTENDING TIME FOR DEFENDANT DEPUE TO RESPOND TO PLAINTIFFS’ COMPLAINT</p>

Plaintiffs Avago Technologies U.S. Inc. and Avago Technologies ECBU IP (Singapore) Pte., Ltd. (collectively “Plaintiffs”), by and through their undersigned counsel, and Defendant Marshall T. DePue a/k/a Mark DePue, hereby stipulate as follows:

WHEREAS, on November 20, 2008, Plaintiffs filed a Complaint for Violation of the California Uniform Trade Secrets Act, Breach of Contract, and Other Claims (“Complaint”);

WHEREAS, on December 13, 2008, Plaintiffs served a copy of the Complaint on Defendant Depue;

WHEREAS, Defendant Depue’s response to the Complaint is due on January 2, 2009;

WHEREAS, Defendant Depue requested of Plaintiffs an extension of time until February 2, 2009, to file a response to the Complaint in light of the intervening holidays and the need to investigate the allegations and prepare an appropriate response;

WHEREAS, Plaintiffs agreed to Defendant Depue’s requested extension;

1 WHEREAS, there have been no previous time modifications in the case, whether by
2 stipulation or Court order; and

3 WHEREAS, the extension of time until February 2, 2009, does not impact the initial Rule
4 26(f) or case management conference deadlines set by the Court;

5 ACCORDINGLY, the parties agree that the due date for Defendant Depue to file a
6 response to the Complaint is extended to February 2, 2009, and request that the Court order the
7 same.

8 IT IS SO STIPULATED.

9 Dated: December 31, 2008

MARK T. DEPUE

10
11 By: /s/ Mark T. Depue

MARK T. DEPUE

In pro per

12
13 Dated: December 31, 2008

IRELL & MANELLA LLP

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15 By: /s/ Samuel K. Lu

SAMUEL K. LU

Attorneys for Plaintiffs

AVAGO TECHNOLOGIES U.S., INC., a

Delaware corporation; and AVAGO

TECHNOLOGIES ECBU IP

(SINGAPORE) PTE., LTD.

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18
19 Dated: December 31, 2008

MUNGER, TOLLES & OLSON LLP

20 By: /s/ Carolyn Hoecker Luedtke

CAROLYN HOECKER LUEDTKE

Attorneys for Defendant

MICROSOFT CORPORATION

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Filer's Attestation:

I, Carolyn Hoecker Luedtke, am the ECF user whose identification and password are being used to file this **STIPULATION PURSUANT TO CIVIL L.R. 6-2 EXTENDING TIME FOR DEFENDANT DEPUE TO RESPOND TO PLAINTIFFS' COMPLAINT**. In compliance with General Order 45.X.B, I hereby attest that Mark T. Depue and Samuel K. Lu concur in this filing.

By: _____/s/_____
Carolyn Hoecker Luedtke

PURSUANT TO STIPULATION, IT IS SO ORDERED.

January 5, 2009

Dated: ~~December 2, 2008~~



THE HONORABLE JEREMY D. FOGEL
United States District Judge