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18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN JOSE DIVISION

21 ELAN MICROELECTRONICS
 CORPORATION,
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 23 Plaintiff and Counterclaim
 Defendant,
 24
 25 v.
 APPLE INC.,
 26
 27 Defendant and Counterclaim
 Plaintiff.

Case No. C-09-01531 RS
 NOTICE OF NEED FOR ADR PHONE
 CONFERENCE
 Magistrate Judge Richard Seeborg
 Courtroom: 4, 5th Floor

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Pursuant to Civil L.R. 16-8(C) and ADR L.R. 3-5(c), counsel report that they have met and conferred regarding ADR and that they:

- have not yet reached an agreement to an ADR process
- request an Early Settlement Conference with a Magistrate Judge

Date of Case Management Conference: August 26, 2009.

The following counsel will participate in the ADR phone conference:

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Dated: August 5, 2009

ALSTON & BIRD LLP

By: /s/ Sean P. DeBruine
Sean P. DeBruine

Attorneys for Plaintiff
ELAN MICROELECTRONICS
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Dated: August 5, 2009

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