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12 Attorneys for Defendant and Counterclaim Plaintiff
 13 Apple Inc.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

17 ELAN MICROELECTRONICS
 CORPORATION,
 18
 Plaintiff and Counterclaim
 19 Defendant,
 20 v.
 21 APPLE INC.,
 22 Defendant and Counterclaim
 Plaintiff.

Case No. C-09-01531 RS (PSG)

**APPLE INC.'S NOTICE OF
 WITHDRAWAL OF ITS MOTION
 FOR PARTIAL SUMMARY
 JUDGMENT OF NON-
 INFRINGEMENT OF ELAN'S '352
 PATENT BY APPLE'S CURRENT
 PRODUCTS**

DATE: September 8, 2011
 TIME: 1:30 p.m.
 JUDGE: Hon. Richard Seeborg
 CTRM: 3, 17th Floor

1 During the August 4, 2011 CMC conference, the Court requested that the parties meet and
2 confer to develop a reasonably consolidated schedule for dispositive motion practice.
3 Accordingly, pursuant to Northern District of California Local Rule 7-7(e), Apple respectfully
4 withdraws its Motion for Partial Summary Judgment of Non-Infringement of Elan's '352 Patent
5 by Apple's Current Products pending a meet and confer between the parties as to the proposed
6 scope and schedule for summary judgment motions. Apple will re-file its motion for summary
7 judgment of non-infringement following the parties' meet and confer on scheduling.

8
9 Dated: August 17, 2011

WEIL, GOTSHAL & MANGES LLP

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11 By: /s/ Derek C. Walter
12 Derek C. Walter
13 Attorney for Apple Inc.