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 APPLE INC.

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

19 ELAN MICROELECTRONICS
 20 CORPORATION,
 21 Plaintiff and Counterclaim
 Defendant,
 22 v.
 23 APPLE INC.,
 24 Defendant and Counterclaim
 25 Plaintiff.

Case No. C-09-01531 RS (PSG)
 STIPULATION AND [PROPOSED]
 ORDER TO EXTEND DEADLINES TO
 ALLOW FOR FINALIZATION OF
 SETTLEMENT

Hon. Richard Seeborg

1 Defendant Apple, Inc. (“Apple”) and Plaintiff Elan Microelectronics Corporation
2 (“Elan”), by and through their respective counsel of record, hereby stipulate as follows:

3 WHEREAS, pursuant to the August 5, 2011 Case Management Scheduling Order
4 (D.I. 380), the fact discovery cutoff in this case is presently scheduled for October 3, 2011;

5 WHEREAS, the parties have a number of depositions scheduled to take place in
6 the coming weeks;

7 WHEREAS, pursuant to the September 9, 2011 Order Re Defendant Elan
8 Microelectronics Corporation’s Motions To Compel (D.I. 423), Apple is to produce certain
9 documents by September 30, 2011;

10 WHEREAS, on September 12, 2011, the parties submitted a stipulation proposing
11 dates for the filing and adjudication of additional dispositive motions, expert reports and a trial in
12 this matter (D.I. 425);

13 WHEREAS, on September 21, 2011, the parties attended a settlement conference
14 before Magistrate Judge Spero and reached an agreement in principle to settle this litigation (D.I.
15 432);

16 WHEREAS, the parties will be drafting a settlement agreement to formalize that
17 agreement in principle in the coming weeks;

18 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties,
19 through their respective counsel, that, subject to the Court’s approval, that the dates and deadlines
20 described above be extended to allow the parties to finalize a settlement. The parties stipulate,
21 subject to the Court’s approval, that the close of fact discovery be extended to October 31, 2011,
22 that the deadline for Apple to produce documents pursuant to the September 9, 2011 Order be
23 extended to October 28, 2011, and that, in the event a settlement is not finalized, they will work
24 together to reschedule depositions. The parties further stipulate, subject to the Court’s approval,
25 that, the dates relating to dispositive motions proposed in the September 21, 2011 stipulation not
26 be in effect, and that, in the event a settlement is not finalized, they will work together to propose
27 a revised case schedule for the filing and adjudication of additional dispositive motions, expert
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FILER'S ATTESTATION

I, Sonal N. Mehta, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING (1) DISPOSITIVE MOTION, (2) EXPERT REPORT, AND (3) TRIAL SCHEDULING. In compliance with General Order 45, paragraph X.B. I hereby attest that Sean DeBruine has concurred in this filing.

By: /s/ Sonal N. Mehta
Sonal N. Mehta