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Counterclaim Plaintiff,  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ELAN MICROELECTRONICS  
CORPORATION,  
  
Plaintiff and Counterclaim  
Defendant,  
  
v.  
  
APPLE INC.,  
  
Defendant and Counterclaim  
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  
28

1 reports and a trial in this matter.

2 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

3 DATED: September 23, 2011

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*/s/ Sean P. DeBruine*  
Sean P. DeBruine

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ALSTON & BIRD LLP  
Attorneys For Elan Microelectronics Corporation

6 DATED: September 23, 2011

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*/s/ Sonal N. Mehta*  
Sonal N. Mehta

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WEIL, GOTSHAL & MANGES LLP  
Attorneys for Apple Inc.

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10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: 9/28/11

  
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Honorable Richard Seeborg  
United States District Court Judge

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