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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)
 SECOND 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, on September 21, 2011, the parties attended a settlement conference
4 before Magistrate Judge Spero and reached an agreement in principle to settle this litigation (D.I.
5 432);

6 WHEREAS, on September 28, 2011, the Court entered a Stipulation and Order to
7 Extend Deadlines to Allow for Finalization of Settlement (D.I. 434), extending the fact discovery
8 cutoff in this case to October 31, 2011, extending the deadline for Apple to produce certain
9 documents to October 28, 2011, and requiring the parties to work together to propose a revised
10 case schedule in the event a settlement is not finalized;

11 WHEREAS, the parties continue to work on drafting a settlement agreement to
12 formalize their agreement in principle to settle;

13 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties,
14 through their respective counsel, that, subject to the Court's approval, that the close of fact
15 discovery be further extended to November 30, 2011, and that the deadline for Apple to produce
16 documents pursuant to Magistrate Judge Grewal's September 9, 2011 Order be further extended
17 to November 28, 2011.

18 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

19 DATED: October 24, 2011

/s/ Sean P. DeBruine

Sean P. DeBruine

21 ALSTON & BIRD LLP
Attorneys For Elan Microelectronics Corporation

22 DATED: October 24, 2011

/s/ Sonal N. Mehta

Sonal N. Mehta

24 WEIL, GOTSHAL & MANGES LLP
Attorneys for Apple Inc.

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26 DATED: _____

Honorable Richard Seeborg
United States District Court Judge

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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 SECOND STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINES TO ALLOW FOR FINALIZATION OF SETTLEMENT. In compliance with General Order 45, paragraph X.B. I hereby attest that Sean DeBruine has concurred in this filing.

Dated: October 24, 2011

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