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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)  
  
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: 10/24/11

  
Honorable Richard Seeborg  
United States District Court Judge