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Attorneys for Defendant and Counterclaim
Plaintiff APPLE INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 ELAN MICROELECTRONICS
19 CORPORATION,

20 Plaintiff,

21 v.

22 APPLE INC.,

23 Defendant.

24 AND RELATED COUNTERCLAIMS
25

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

**STIPULATION AND [PROPOSED]
ORDER MODIFYING AMENDED
STIPULATED PROTECTIVE ORDER**

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

3 WHEREAS, the terms of the Amended Stipulated Protective Order (Dkt. No. 64) require
4 each party to destroy all "Discovery Material" after the final disposition of this litigation;

5 WHEREAS, the term "Discovery Material" as defined in the Amended Stipulated
6 Protective Order includes all information and documents produced, disclosed, or generated in
7 connection with discovery in this matter, whether or not they have been designated confidential in
8 a way provided by the Amended Stipulated Protective Order; and

9 WHEREAS, the parties wish to eliminate the obligation to return or destroy information
10 and documents produced in connection with discovery in this matter that do not constitute
11 proprietary or confidential information of any party;

12 NOW, THEREFORE, the parties stipulate and ask the Court to order as follows:

13 Section 19 of the Amended Stipulated Protective Order is amended to require that the
14 parties destroy or return all "Protected Material" rather than all "Discovery Material."

15 DATED: April 9, 2012

Respectfully submitted,

16 ALSTON & BIRD LLP

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18 By: _____ /s/ Sean P. DeBruine

Sean P. DeBruine

Attorneys for Plaintiff and Counterdefendant
ELAN MICROELECTRONICS CORPORATION

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21 DATED: April 9, 2012

WEIL, GOTSHAL & MANGES LLP

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23 By: _____ /s/ Sonal N. Mehta

Sonal N. Mehta

Attorneys for Defendant and Counterclaim Plaintiff
APPLE INC.

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[PROPOSED] ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED

DATED: _____, 2012

UNITED STATES MAGISTRATE JUDGE

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FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Sean P. DeBruine, attest that concurrence in the filing of this document has been obtained.

/s/ Sean P. DeBruine

Sean P. DeBruine

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