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10
 11 Attorneys for Plaintiff and Counterdefendant
 ELAN MICROELECTRONICS CORPORATION

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 ELAN MICROELECTRONICS)
 CORPORATION,)

17)
 18 Plaintiff,)

19 v.)

20 APPLE, INC.,)

21 Defendant.)

22 _____)
 APPLE, INC.,)

23 Counterclaimant,)

24 v.)

25 ELAN MICROELECTRONICS)
 CORPORATION,)

26 Counterdefendant.)
 27)
 28)

Case No. 5:09-cv-01531-RS

**STIPULATION AND [~~PROPOSED~~] ORDER
 CHANGING TIMES RELATED TO
 SETTLEMENT CONFERENCE**

1 WHEREAS, in the Notice of Settlement Conference and Settlement Conference Order, Dkt. 40,
2 the Court set deadlines culminating in a Settlement Conference on January 14, 2010;

3 WHEREAS lead counsel for Plaintiff Elan Microelectronics Corp., Yitai Hu, will be
4 unavailable on January 14, 2010;

5 WHEREAS counsel agree to rescheduling the Settlement Conference as listed below;

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

- 7 1. The Settlement Conference is rescheduled for **February 11, 2010, at 9:30 a.m.**
- 8 2. The principals of the parties, with unlimited authority to settle the case, shall
9 meet and confer *in person* on or before may meet and confer on or before
10 **January 21, 2010**, to discuss settlement.
- 11 3. Plaintiff shall make a settlement proposal, in writing, by **December 24, 2009**,
12 with a copy to Chambers.
- 13 4. Defendant shall respond and make a counter-proposal, in writing, by **January**
14 **12, 2010**, with a copy to Chambers.
- 15 5. Each party shall prepare a Settlement Conference Statement, which must be
16 LODGED with Chambers no later than **February 4, 2010**.
- 17 6. Other than the rescheduling of the dates listed above, no aspect of the Notice of
18 Settlement Conference and Settlement Conference Order, Dkt. 40, is modified
19 by this order.

20
21 Respectfully Submitted,

22 Dated: November 23, 2009

ALSTON + BIRD LLP

23
24 By: _____ /s/
Sean P. DeBruine

25 Attorneys for Plaintiff
26 ELAN MICROELECTRONICS CORPORATION
27
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1 Dated: November 23, 2009

WEIL, GOTHAL & MANGES LLP

2
3 By: _____ /s/
Sonal N. Mehta

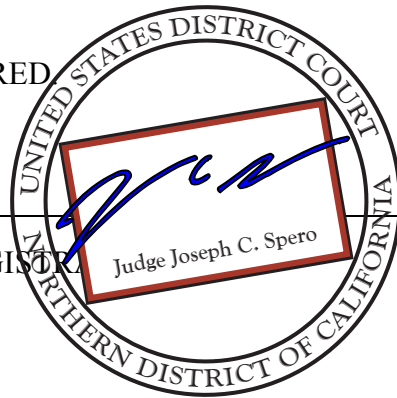
4
5 Attorneys for Defendant
APPLE, INC.

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8
9 **[PROPOSED] ORDER**

10
11 PURSUANT TO STIPULATION IT IS SO ORDERED

12
13 Dated: 11/24, 2009

14 Hon. Joseph C. Spero
UNITED STATES MAGISTRATE



FILER'S ATTESTATION

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

Respectfully Submitted,

Dated: November 24, 2009

ALSTON + BIRD LLP

By: _____/s/_____
Sean P. DeBruine

Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION

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