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 ELAN MICROELECTRONICS CORPORATION

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

16 ELAN MICROELECTRONICS
 CORPORATION,

17 Plaintiff,

18 v.

19 APPLE, INC.,

20 Defendant

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

**STIPULATION AND [~~PROPOSED~~] ORDER
 MODIFYING TIME AND MANNER TO
 MEET AND CONFER REGARDING
 SETTLEMENT**

Date: February 11
 Time: 9:30
 Courtroom: Courtroom A, 15th Floor
 Judge: Hon. James C. Spero

JURY TRIAL DEMANDED

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 24 AND RELATED COUNTERCLAIMS
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1 WHEREAS, according to the Court’s Order at docket 46, a settlement conference is scheduled
2 to take place on February 11, 2010, and the parties are to meet and confer in person on or before
3 January 21, 2010 to discuss settlement;

4 WHEREAS, the travel time necessary for representatives of Elan Microelectronics Corporation
5 (“Elan”) to travel from Taiwan to attend the meet and confer is considerable;

6 WHEREAS, despite diligent effort, the parties were unable to find a mutually agreeable day
7 and time to meet on or before January 21, 2010;

8 WHEREAS, the parties have agreed to extend the date to meet and confer regarding settlement
9 to January 28, 2010 if the Court so permits; and

10 WHEREAS, the parties have further agreed and mutually believe they can meet and confer
11 effectively via videoconference;

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

- 13 1. The Order at docket 46 is modified to extend the deadline to meet and confer
- 14 from January 21, 2010 to January 28, 2010;
- 15 2. The principals of the parties may meet and confer via videoconference;
- 16 3. No other aspect of the Court’s Order at docket 46 is modified by this order.

17
18 Respectfully Submitted,

19 Dated: January 20, 2010

ALSTON + BIRD LLP

21 By: _____ /s/
Sean P. DeBruine

22 Attorneys for Plaintiff
23 ELAN MICROELECTRONICS CORPORATION

24 Dated: January 20, 2010

WEIL, GOTHSAL & MANGES LLP

26 By: _____ /s/
Sonal N. Mehta

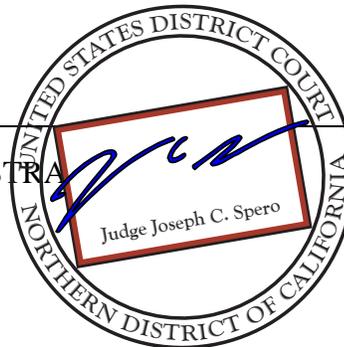
27
28 Attorneys for Defendant
APPLE, INC.

[PROPOSED] ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: Jan. 22 _____, 2010

Hon. Joseph C. Spero
UNITED STATES MAGISTRATE



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