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 Ltd.

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

16 ATS Automation Tooling Systems, Inc. and  
 Thermal Form & Function, LLC,

17 Plaintiffs,

18 v.

19 Foxconn Electronics, Inc., Foxconn  
 Technology Co., Ltd., Hon Hai Precision  
 20 Industry Co. Ltd., and DOES 2 through 10

21 Defendants.

**Case No. C03-2648 PJH**

**STIPULATED REQUEST FOR  
 MODIFICATION OF SCHEDULING ORDER  
 AND [PROPOSED] ORDER**

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 23 Pursuant to Civil L.R. 6-2 and 7-11, the plaintiffs, ATS Automation Tooling Systems,  
 24 Inc. and Thermal Form & Function, LLC (collectively, the “Plaintiffs”) and the defendants  
 25 Foxconn Electronics, Inc., Foxconn Technology Co., Ltd. and Hon Hai Precision Industry Co.,  
 26 Ltd. (collectively, the “Defendants”) submit this Stipulated Request for Modification of  
 27 Scheduling Order, seeking to extend (a) the deadline for Meet and Confer for Pretrial Conference

1 and (b) the time for filing Joint Pretrial Statement. Specifically, the parties propose that the July  
 2 6, 2004 Scheduling Order be modified as follows:

	<u>Current Schedule</u>	<u>Proposed Schedule</u>
<b>Meet and Confer for Pretrial Conference – Deadline</b>	May 27, 2005	July 8, 2005
<b>Joint Pretrial Statement</b>	June 8, 2005	July 19, 2005

7 Pursuant to L.R. 6-2, the reasons for the requested modification are set forth below:

8  
 9 1. Given Court’s recent Order re Motions for Summary Judgment and Supplemental  
 10 Claim Construction and the outstanding expert discovery, the parties have met and conferred and  
 11 agree that it would be more productive to meet and confer and to file the Joint Pretrial Statement  
 12 at a later time.

13 2. The proposed schedule complies with the Court's November 14, 2003 Case  
 14 Management and Pretrial Order, which requires parties to meet and confer for pretrial conference  
 15 no less than forty calendar days prior to the pretrial conference and to file a joint pretrial  
 16 statement no less than thirty calendar days prior to the pretrial conference.

17 3. The parties have sought five previous extensions of the Scheduling Order.

18 4. The requested modification will have minimal effect on the schedule of this case.  
 19 The pretrial conference date and trial date are not affected by this stipulation.

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1 For the reasons set forth above, the parties respectfully request that the Court order that the July 6,  
2 2004 Scheduling Order be modified as follows:

3 **Proposed Schedule**

4 **Meet and Confer for Pretrial Conference –** July 8, 2005  
5 **Deadline**

6 **Joint Pretrial Statement** July 19, 2005

7 Respectfully submitted,

8  
9 ATS AUTOMATION TOOLING  
10 SYSTEMS, INC. and THERMAL  
FORM & FUNCTION, LLC

FOXCONN ELECTRONICS, INC., HON HAI  
PRECISION INDUSTRY CO., LTD., and  
FOXCONN TECHNOLOGY CO., LTD.

11 By their attorneys,

By their attorneys,

12 /s/ John J. Regan  
13 WILMER CUTLER PICKERING  
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Vinita Ferrera (*Pro Hac Vice*)  
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/s/ Peter J. Wied  
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LEWIS BRISBOIS BISGAARD & SMITH  
L.L.P.  
Kenneth D. Watnick (No. 150936)

20 Dated: May 27, 2005

21 I affirm under penalty of perjury that permission to file the above Stipulated Request for  
22 Modification of Scheduling Order has been obtained from John J. Regan, counsel for Plaintiffs  
23 ATS Automation Tooling Systems, Inc. and Thermal Form & Function, LLC.

24 Date: May 27, 2005

By: /s/ Peter J. Wied

25 PURSUANT TO STIPULATION, IT IS SO ORDERED

26 6/1/05

27 \_\_\_\_\_  
Date

28   
\_\_\_\_\_  
United States District Judge