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12 Attorneys for Defendants Atheros Communications,
13 Inc., Willy C. Shih, Teresa H. Meng,
14 Craig H. Barratt, Andrew S. Rappaport, Dan A. Artusi,
15 Charles E. Harris, Marshall L. Mohr, and Christine King

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

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20 JOEL KRIEGER, Individually and on Behalf)
21 of All Others Similarly Situated,)

22 Plaintiff,)

23 vs.)

24 ATHEROS COMMUNICATIONS, INC.,)
25 DR. WILLY C. SHIH, DR. TERESA H.)
26 MENG, DR. CRAIG H. BARRATT,)
27 ANDREW S. RAPPAPORT, DAN A.)
28 ARTUSI, CHARLES E. HARRIS,)
MARSHALL L. MOHR, CHRISTINE)
KING, QUALCOMM INCORPORATED,)
AND T MERGER SUB, INC.)

Defendants.)

No. 5:11-CV-00640-LHK

STIPULATION AND [PROPOSED]
ORDER REGARDING STAY OF
DISCOVERY, CASE MANAGEMENT
AND ADR DEADLINES

Judge: Hon. Lucy H. Koh
Date Action Filed: February 10, 2011

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1 Plaintiff Joel Krieger (“Plaintiff”), by and through his undersigned counsel, and
2 defendants Atheros Communications, Inc., Dr. Willy C. Shih, Dr. Teresa H. Meng, Dr.
3 Craig H. Barratt, Andrew S. Rappaport, Dan A. Artusi, Charles E. Harris, Marshall L.
4 Mohr, Christine King (the “Atheros Defendants”), Qualcomm Incorporated and T Merger
5 Sub, Inc., by and through their undersigned counsel (collectively, with the Atheros
6 Defendants, the “Defendants”), hereby stipulate and agree as follows:

7 WHEREAS, on February 10, 2011, Plaintiff filed a complaint alleging violations of
8 the federal securities laws and state breach of fiduciary duty laws;

9 WHEREAS, on March 4, 2011, the Court entered an order staying Plaintiff’s state
10 law claims for breach of fiduciary duty;

11 WHEREAS, on April 11, 2011, the Atheros Defendants moved to dismiss Plaintiff’s
12 federal securities law claims;

13 WHEREAS, Plaintiff intends to amend the federal claims alleged in his complaint;

14 WHEREAS, pursuant to the Order Setting Initial Case Management Conference and
15 ADR Deadlines filed on February 10, 2011 (“Case Management Order”), the parties are
16 required to: (a) meet and confer pursuant to Fed. R. Civ. P. 26(f) and ADR L.R. 3-5, file
17 ADR Certification signed by Parties and Counsel, and file either Stipulation to ADR
18 Process or Notice of Need for ADR Phone Conference by April 20, 2011; (b) file Rule
19 26(f) Report, complete initial disclosures or state objections in Rule 26(f) Report and file
20 Case Management Statement by May 4, 2011; and (c) participate in an initial case
21 management conference on May 11, 2011 (collectively, the “Case Management
22 Deadlines”);

23 WHEREAS, the Private Securities Litigation Reform Act of 1995 provides that,
24 upon the filing of the motion to dismiss in a private securities fraud class action, “all
25 discovery and other proceedings shall be stayed during the pendency” of such motion;

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1 WHEREAS, in light of the Atheros Defendants' pending motion to dismiss and
2 Plaintiff's intention to amend their federal securities law claims in the complaint, the parties
3 wish to continue the Case Management Deadlines until after such time as an amended
4 complaint is filed, and the current or any subsequent motion to dismiss has been decided by
5 this Court.

6 NOW THEREFORE, the parties stipulate and agree, and the Court hereby orders, as
7 follows:

8 1. The Initial Case Management Conference currently set for May 11, 2011 and
9 other Case Management Deadlines shall be taken off calendar;

10 2. The parties shall submit a stipulation with a proposed date and time for the
11 Initial Case Management Conference and other Case Management Deadlines within
12 fourteen (14) days after such time as the current or any subsequent motion to dismiss has
13 been decided by this Court.

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15 Dated: April 19, 2011

FARUQI & FARUQI, LLP
VAHN ALEXANDER
1901 Avenue of the Stars, Second Floor
Los Angeles, CA 90067

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By /s/ Vahn Alexander
Attorneys for Plaintiff Stanley Joel Krieger

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20 Dated: April 19, 2011

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By /s/ David M. Furbush
Attorneys for Defendants Atheros
Communications, Inc., Craig H. Barratt,
Willy C. Shih, Andrew S. Rappaport,
Daniel A. Artusi, Charles E. Harris,
Marshall L. Mohr, Christine King, and
Teresa H. Meng

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1 Dated: April 19, 2011

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By /s/ David Priebe
Attorneys for Defendants Qualcomm Incorporated
and T Merger Sub, Inc.

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ATTESTATION PURSUANT TO GENERAL ORDER 45

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I, David M. Furbush, attest that concurrence in the filing of this document has been
obtained from the other signatories. I declare under penalty of perjury that the foregoing is
true and correct.

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By /s/ David M. Furbush
David M. Furbush

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ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: April 22, 2011



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THE HONORABLE LUCY H. KOH

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