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Attorneys for Third Party
SAMSUNG SEMICONDUCTOR, INC.

11 (*Pro hac vice* applications pending)

12 Attorneys for Plaintiff
13 CARNÉGIE MELLON UNIVERSITY

14 UNITED STATES DISTRICT COURT
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

18 CARNEGIE MELLON UNIVERSITY
19 Plaintiff,
20 v.
21 MARVELL TECHNOLOGY GROUP
22 and MARVELL SEMICONDUCTOR,
23 INC.,
24 Defendants.

Case No.: 5:11-mc-80078-JF

**STIPULATION AND ~~PROPOSED~~
ORDER MODIFYING HEARING
DATE AND BRIEFING SCHEDULE
FOR PLAINTIFF'S MOTION TO
COMPEL**

Date: May 24, 2011
Time: 10:00 am
Dept: Courtroom 2, 5th Floor
Judge: Magistrate Judge Howard R. Lloyd

25 Carnegie Mellon University ("CMU"), plaintiff in an action pending in the Western
26 District of Pennsylvania, initiated this proceeding to compel third-party Samsung
27 Semiconductor, Inc. ("SSI") to comply with subpoenas. CMU's Motion to Compel SSI's
28

1 Compliance With FRCP 45 Document and Deposition Subpoenas (“Motion”) is presently set
2 for hearing before the Court on May 24, 2011. CMU and SSI hereby stipulate to and request
3 that the hearing date be re-set for May 31, 2011.

4 CMU and SSI further stipulate to and request a modification of the briefing deadlines to
5 coincide with the May 31, 2011 hearing date. Specifically, pursuant to Civil Local Rule 7-3, the
6 parties hereby request that SSI’s Opposition to the Motion be due on or before May 10, 2011,
7 and CMU’s Reply is due on or before May 17, 2011. The current and requested modifications
8 are set forth below:

	<u>Current Deadline</u>	<u>Stipulated Deadline</u>
9 SSI’s Opposition Briefing:	May 3, 2011	May <u>10</u> , 2011
10 CMU’s Reply Briefing:	May 10, 2011	May <u>17</u> , 2011
11 Hearing:	May 24, 2011	May <u>31</u> , 2011

12 The parties agree that the interests of justice would be served by a one week extension of
13 all deadlines, as SSI requires additional time is required to analyze and brief the issues raised by
14 the Motion (including as a result of changes in staffing of SSI in-house counsel involved in
15 responding to the underlying subpoena). In addition, judicial resources may also be conserved
16 as the parties have an interest in attempting to resolve the issues in CMU’s Motion without
17 judicial intervention, obviating further briefing and the scheduled hearing.
18

19 THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND REQUESTED by the
20 parties, through their respective counsel, that SSI’s Opposition be due on or before May 10,
21 2011, CMU’s Reply be due on or before May 17, 2011, and that the hearing currently scheduled
22 to take place on May 24, 2011 be re-set for May 31, 2011 at 10:00 a.m., or on such a date and at
23 such a time thereafter as is convenient for the Court.

24 Dated: April 29, 2011

25 By: /s/ Dan Royalty
26 Dan Royalty
27 K&L GATES LLP
28 Attorneys for Plaintiff
CARNEGIE MELLON UNIVERSITY

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Dated: April 29, 2011

By: /s/ Simon Frankel
Simon J. Frankel
Robert Williams
COVINGTON & BURLING LLP

Attorneys for Third Party
SAMSUNG SEMICONDUCTOR, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 2, 2011



Hon. Howard R. Lloyd
UNITED STATES MAGISTRATE JUDGE

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ECF CERTIFICATION

I, Simon J. Frankel, am the ECF User whose identification and password are being used to file this Stipulation And Proposed Order Modifying Hearing Date And Briefing Schedule For Plaintiff's Motion To Compel. In compliance with General Order 45.X.B, I hereby attest that Dan Royalty has concurred in this filing.

DATED: April 29, 2010

COVINGTON & BURLING LLP

By: /s/ Simon J. Frankel
Simon J. Frankel

**ATTORNEYS FOR SAMSUNG
SEMICONDUCTOR, INC.**