

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

XPOINT TECHNOLOGIES, INC.,

Plaintiff,

v.

MICROSOFT CORP., et al.,

Defendants.

Civil Action No. 09-CV-00628 (SLR)

STIPULATION AND ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED by Plaintiff and Defendants Microsoft Corporation (“Microsoft”), Cypress Semiconductor Corporation (“Cypress”), Apple, Inc. (“Apple”), LG Electronics, Inc. (“LG”), and LG Electronics MobileComm USA, Inc. (“LG Electronics MobileComm”), subject to the approval of the Court, that:

1. Microsoft, Cypress, Apple, and LG waive any defenses or objections to personal jurisdiction, any defect in the Summons, and service of the Summons, Complaint and Amended Complaint.
2. LG Electronics MobileComm waives any defenses or objections to personal jurisdiction, any defect in the Summons, and service of the Summons and Amended Complaint.
2. Microsoft, Cypress, Apple, LG and LG Electronics MobileComm’s time to answer, move against or otherwise respond to the Amended Complaint in this action shall be extended to and including December 18, 2009.

BOUCHARD MARGULES &
FRIEDLANDER, P.A.

FISH & RICHARDSON P.C.

/s/ Sean M. Brennecke
David J. Margules (#2254)
Sean M. Brennecke (#4686)
222 Delaware Ave., Suite 1400
Wilmington, DE 19801
(302) 573-3500
dmargules@bmf-law.com
sbrennecke@bmf-law.com

*Attorneys for Plaintiff
Xpoint Technologies, Inc.*

/s/ Thomas L. Halkowski
Thomas L. Halkowski (#4099)
222 Delaware Avenue, 17th Floor
P.O. Box. 1114
Wilmington, Delaware 19801
(302) 778-8407
halkowski@fr.com

*Attorney for Defendants Microsoft Corp.,
Cypress Semiconductor Corp., Apple, Inc.,
LG Electronics, Inc., and LG Electronics
MobileComm USA, Inc.*

SO ORDERED, this _____ day of _____, 2009.

Judge