

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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ST. CLAIR INTELLECTUAL  
PROPERTY CONSULTANTS, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

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**Civil Action No. 09-804-JJF-LPS**

**JURY TRIAL DEMANDED**

**STIPULATION TO STAY ACTION**

WHEREAS, Plaintiff St. Clair Intellectual Property Consultants, Inc. (“St. Clair”) filed its Complaint for Patent Infringement against Defendant Apple Inc. (“Apple”) on October 26, 2009;

WHEREAS, St. Clair filed its First Amended Complaint against Apple on January 27, 2010;

WHEREAS, at the time the above-captioned matter was filed, St. Clair identified the related actions styled as follows:

- a. *St. Clair Intellectual Property Consultants, Inc. v. Samsung Electronics Co., et al.*, C.A. No. 04-1436-JJF-LPS (D. Del.) (the “*Samsung* related action”);
- b. *St. Clair Intellectual Property Consultants, Inc. v. Siemens AG, et al.*, C.A. No. 06-403-JJF-LPS (D. Del.) (the “*Siemens* related action”);
- c. *St. Clair Intellectual Property Consultants, Inc. v. LG Electronics Inc., et al.*, C.A. No. 06-404-JJF-LPS (D. Del.) (the “*LG* related action”);
- d. *St. Clair Intellectual Property Consultants, Inc. v. Research In Motion LTD., et al.*, C.A. No. 08-371-JJF-LPS (D. Del.) (the “*RIM* related action”); and

- e. *St. Clair Intellectual Property Consultants, Inc. v. Fujifilm Holdings Corp., et al.*, C.A. No. 08-373-JJF-LPS (D. Del.) (the “*Fujifilm* related action”); and

WHEREAS, the *Samsung*, *Siemens*, *LG*, *RIM*, and *Fujifilm* related actions have been stayed by the Court pending the outcome of the *St. Clair v. Fujifilm* appeal in the Federal Circuit Court of Appeals (Case Nos. 2009-1052, 2010-1137, -1140) (“*St. Clair v. Fujifilm* appeal”). (See C.A. No. 04-1436-JJF-LPS, D.I. 1031, 1038; C.A. No. 06-403-JJF-LPS, D.I. 419, 420; C.A. No. 06-404-JJF-LPS, D.I. 736, 742; C.A. No. 08-371-JJF-LPS, D.I. 456, 460; and C.A. No. 08-373-JJF-LPS, D.I. 331, 335);

WHEREAS, the Court entered a Rule 16 Scheduling Order on March 2, 2010 (D.I. 12) and an Addendum to Rule 16 Scheduling Order on April 6, 2010 (D.I. 23); and

WHEREAS, in light of the stays in the *Samsung*, *Siemens*, *LG*, *RIM*, and *Fujifilm* related actions, *St. Clair* and *Apple* have agreed to stay the above-captioned matter pending a decision in the *St. Clair v. Fujifilm* appeal;

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned counsel, subject to the Court’s approval, that:

1. The above-captioned matter will be stayed until the Federal Circuit issues a decision in the *St. Clair v. Fujifilm* appeal.
2. The remaining deadlines in the Court’s Rule 16 Scheduling Order (D.I. 12) and Addendum to Rule 16 Scheduling Order (D.I. 23) will be extended in light of the stay.
3. The parties shall advise the Court within ten (10) days of the issuance of a decision from the Federal Circuit on the pending *St. Clair v. Fujifilm* appeal.

4. Within twenty (20) days of the issuance of a decision from the Federal Circuit on the pending *St. Clair v. Fujifilm* appeal, the parties shall submit a proposed amended Rule 16 Scheduling Order to the Court.

SEITZ, VAN OGTROP & GREEN, P.A.

ASHBY & GEDDES

/s/ Patricia P. McGonigle

/s/ John G. Day

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*Attorneys for Defendant Apple Inc.*

Dated: July 28, 2010

*Attorneys for Plaintiff St. Clair Intellectual  
Property Consultants, Inc.*

Dated: July 28, 2010

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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United States Magistrate Judge