

# **EXHIBIT D**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SKYHOOK WIRELESS, INC.,  Plaintiff,  v.  GOOGLE INC.,  Defendant.	CIVIL ACTION NO. 1:10-cv-11571-RWZ
GOOGLE INC.,  Counterclaim-Plaintiff,  v.  SKYHOOK WIRELESS, INC.,  Counterclaim-Defendant.	

**STIPULATION REGARDING PRODUCTION OF DOCUMENTS BY  
SKYHOOK WIRELESS, INC. AND GOOGLE INC.**

Plaintiff and Counterclaim-Defendant Skyhook Wireless, Inc. (“Skyhook”) and Defendant and Counterclaim-Plaintiff Google Inc. (“Google”) hereby stipulate as follows:

WHEREAS the parties met and conferred regarding a protective order, and have agreed on all provisions except for the appropriate scope of a patent prosecution bar;

WHEREAS on May 25, 2011, the parties each filed motions and supporting memoranda seeking entry of their respective proposed protective orders (Docket Nos. 29-33);

WHEREAS on June 8, 2011 the parties each filed opposition briefs regarding the cross-motions for entry of the respective proposed protective orders (Docket Nos. 35 and 36);

WHEREAS the fully briefed cross-motions are pending before the Court; and

WHEREAS the parties wish to facilitate the mutual production of documents, including documents that would be deemed “Confidential” or “Highly Confidential — Attorney’s Eyes Only” under the stipulated portions of the respective protective orders that have been proposed to the Court, during the time the motions are pending before the Court;

THEREFORE, SKYHOOK AND GOOGLE STIPULATE AS FOLLOWS:

(1) The parties shall abide by the terms of Google’s [Proposed] Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information and/or Trade Secrets for all purposes prior to the entry by the Court of a protective order in this action.

(2) Prior to the Court’s entry of a protective order in this action, however, no party shall be required to produce or make available for inspection documents or information that would be properly deemed “Highly Confidential - Source Code” under Google’s [Proposed] Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information and/or Trade Secrets (Docket No. 30, Ex. A).

(3) Upon entry by the Court of a protective order in this action, the Court’s order shall govern for all purposes, including the treatment of all produced documents, regardless of the time of production.

**STIPULATED AND AGREED:**

Dated: July \_\_, 2011

Robert C. Bertin (pro hac vice)  
robert.bertin@bingham.com  
Susan Baker Manning (pro hac vice)  
susan.manning@bingham.com  
BINGHAM McCUTCHEN LLP  
2020 K Street, NW  
Washington, DC 20006-1806, U.S.A.  
202.373.6000

William F. Abrams (pro hac vice)  
william.abrams@bingham.com  
BINGHAM McCUTCHEN LLP  
1900 University Avenue  
East Palo Alto, CA 94303-2223  
650.849.4400

Dated: July \_\_, 2011

Morgan Chu (pro hac vice)  
mchu@irell.com  
John C. Hueston (pro hac vice)  
jhueston@irell.com  
Samuel K. Lu (pro hac vice)  
slu@irell.com  
Glenn K. Vanzura (pro hac vice)  
gvanzura@irell.com  
Lina F. Somait (pro hac vice)  
lsomait@irell.com  
Linda C. Klein (pro hac vice)  
lklein@irell.com

Respectfully submitted,

Google Inc.,

By its attorneys,

---

Jonathan M. Albano, BBO #013850  
jonathan.albano@bingham.com  
BINGHAM McCUTCHEN LLP  
One Federal Street  
Boston, MA 02110-1726, U.S.A.  
617.951.8000

Skyhook Wireless, Inc.,

By its attorneys,

---

Thomas F. Maffei (BBO 313220)  
tmaffei@gtmlp.com  
Douglas R. Tillberg (BBO 661573)  
dtillberg@gtmlp.com  
GRIESINGER, TIGHE & MAFFEI, LLP  
176 Federal Street  
Boston, Massachusetts 02110  
617.542.9900

IRELL & MANELLA LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, California 90067-4276  
310.277.1010

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Rya Zobel  
Judge of the United States District Court