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9 Attorneys for SPECIALLY APPEARING
 10 DEFENDANT Wi-LAN Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 MARVELL SEMICONDUCTOR INC.,
 15 ET AL.,

16 Plaintiffs,

17 v.

18 WI-LAN INC.,

19 Defendant.

Case No. C 08-CV-05544 (JW)

**STIPULATION FINDING AS MOOT
 TO EXTEND TIME TO
 RESPOND TO COMPLAINT**

20 Subject to its special appearance, specially appearing defendant Wi-LAN Inc., by and
 21 through its counsel, requests that defendant's time to answer or otherwise plead to the complaint
 22 be extended until a date ten (10) days after this Court's ruling on Wi-LAN Inc.'s Motion to
 23 Dismiss for Lack of Personal Jurisdiction, Subject Matter Jurisdiction and Improper Venue, and
 24 Motion to Transfer to First Filed Forum, filed January 15, 2009, in a related declaratory
 25 judgment action styled *Intel Corp. v Wi-LAN Inc. et al*, 5:08-cv-4555 (N.D. Cal.). Defendant's
 26 time to respond to the complaint in this action was previously extended from January 26, 2009,
 27 to February 25, 2009, by Order dated February 9, 2009 (DI 10). Plaintiffs Marvell
 28 Semiconductor, Inc. and Marvell Asia Pte., Ltd. do not oppose defendant's request.

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This stipulated request is made on the grounds that the parties wish to avoid duplicative motion practice. The Court’s anticipated ruling in the related *Intel* case will give the parties substantial guidance as to how to proceed in the instant action. Accordingly, it is in the interest of private and judicial economy to extend the time for Wi-LAN Inc. to answer or otherwise plead until a date ten (10) days after this Court’s ruling in *Intel Corp. v. Wi-LAN Inc. et al.*

So stipulated,

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Dated: February 18, 2009

MCKOOL SMITH PC

By: _____ /s/

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Attorneys for SPECIALLY
APPEARING DEFENDANT Wi-LAN
Inc.

Dated: February 19, 2009

FINNEGAN, HENDERSON,
FARABOW, GARRETT & DUNNER,
L.L.P.

By: _____ /s/

Lily Lim
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Attorneys for plaintiffs Marvell
Semiconductor, Inc. and Marvell Asia
Pte., Ltd.

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IT IS SO ORDERED AS MODIFIED:

The Court's Order on February 20, 2009 STAYED all deadlines in ALL related Cases. The Stipulation is found a MOOT.

Dated: February 20, 2009

By: 
United States District Court Judge

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CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2009, a true and correct copy of the foregoing STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO RESPOND TO AMENDED COMPLAINT was filed electronically with the Clerk of the Court using CM/ECF System. Notice of this filing will be sent by operation of the Court’s electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court’s electronic filing system.

By: /s/ Michael G. McManus
Michael G. McManus

**MCKKOOOL SMITH
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NEW YORK, N.Y.**