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

18
19 INTEL CORPORATION,

20 Plaintiff,

21 vs.

22 WI-LAN, INC.,

23 Defendant.

Case No. 5:08-cv-4555 JW (HRL)

**STIPULATION AND [PROPOSED] ORDER
REGARDING THIRD PARTY
DISCOVERY**

Judge: Hon. James Ware

1 Plaintiff Intel Corporation and Defendant Wi-LAN Inc. (hereinafter “Parties”), pursuant to
2 the September 1, 2009 Case Management Conference and the First Patent Scheduling Order (Dkt.
3 No. 226) dated September 3, 2009 hereby stipulate to the following:

4 1. That the Parties will work cooperatively to coordinate discovery in this action
5 concerning third parties with such discovery in the Wi-LAN v. Acer, et al. and Wi-LAN v. Westell,
6 et al. (the Texas Actions) and other relevant actions.

7 2. That the Parties shall immediately file a joint motion in each such Texas Action to
8 modify the Protective Orders so that discovery provided in the Texas Actions that is relevant to this
9 case may be used in this case subject to the terms of the Protective Orders in the Texas Actions.

10 3. Subject to Paragraph 2, that all information obtained in the course of discovery in
11 connection with the Texas Actions may be used in this action as if obtained pursuant to discovery in
12 this action, including, without limitation, documents produced pursuant to request or subpoena,
13 answers to interrogatories and requests for admissions, and testimony by affidavit, deposition, or at
14 trial.

15 4. The protections set forth in the Protective Orders in the Texas Actions shall be
16 enforceable before this Court, and that the Parties to this litigation shall also be subject to the duties
17 and obligations of the Protective Orders issued in the Texas Actions.

18
19 Respectfully submitted,

20
21 Dated: September 11, 2009

22 _____
23 /s/
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Dated: September 11, 2009

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

JAMES WARE
United States District Judge

