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13 *Indirect Purchaser Class*

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **OAKLAND DIVISION**

17 IN RE STATIC RANDOM ACCESS
18 MEMORY (SRAM) ANTITRUST
19 LITIGATION

Case No. 4:07-md-1819 CW

MDL No. 1819

**STIPULATION AND ORDER
TO SHORTEN TIME ON HEARING ON
MOTION FOR PRELIMINARY
APPROVAL OF DISTRIBUTION PLAN AND
NOTICE PLAN AND SETTING FAIRNESS
HEARING**

20 This Document Relates to:
21 ALL INDIRECT PURCHASER ACTIONS

22 WHEREAS, on February 11, 2011, the Court entered an order preliminarily approving
23 Indirect Purchaser Plaintiffs (“IP Plaintiffs”) settlement with Samsung Electronics Co., Ltd.,
24 Samsung Semiconductor, Inc., and Samsung Electronics America, Inc. (“Samsung”) (*see* DE
25 1324);

26 WHEREAS, on March 11, 2011, the Court entered an order preliminarily approving IP
27 Plaintiffs’ settlement with Cypress Semiconductor, Inc. (“Cypress”) (*see* DE 1329);

28 WHEREAS, IP Plaintiffs are concurrently filing a Motion for Preliminary Approval of
Distribution Plan and Notice Plan and Setting Fairness Hearing (“Preliminary Approval Motion”)

1 which seeks, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, an Order:

2 (i) granting preliminary approval of the distribution plan proposed by IP Plaintiffs
3 pertaining to the settlements entered with Defendants;

4 (ii) approving the forms of notice and notice plan proposed by IP Plaintiffs; and

5 (iii) setting a hearing date on final approval of the Samsung and Cypress settlements, the
6 plan of distribution, and such other matters that are presented for the Court’s decision;

7 WHEREAS, Cypress and Samsung support (or do not oppose) the relief sought in the
8 Preliminary Approval Motion;

9 WHEREAS, IP Plaintiffs, Cypress, and Samsung – all of the affected parties (the “Parties”)
10 – agree that, pursuant to Civil Local Rules 6-2 and 7-12, there is no reason that the Preliminary
11 Approval Motion could not be heard on shortened time on June 2 or 9, 2011 (subject to the Court’s
12 schedule and approval);

13 WHEREAS, the Parties further agree that, pursuant to Fed. R. Civ. Proc. 78(b), the
14 Preliminary Approval Motion may be decided on the papers and without hearing should the Court
15 so desire;

16 WHEREAS, the Parties believe that proceeding either on shortened time or having the
17 motion decided on the papers without hearing will expedite the fair and just resolution of this case;

18 NOW THEREFORE, IT IS HEREBY STIPULATED by the undersigned counsel on behalf
19 of the parties identified below, and subject to the Court’s approval and preference, that they agree
20 to either of the below options:

- 21 1. The Preliminary Approval Motion may be decided on the papers without hearing.
- 22 2. The Preliminary Approval Motion may be heard on shortened time on June 2 or 9,
23 2011 at 2:00 p.m.

24 Dated: May 24, 2011

By: */s/ Christopher T. Micheletti*

25 CHRISTOPHER T. MICHELETTI
26 ZELLE HOFMANN VOELBEL
& MASON LLP
27 *Lead and Liaison Counsel for Indirect
Purchaser Class*

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Dated: May 24, 2011

By: /s/ Christopher T. Heffelfinger
CHRISTOPHER T. HEFFELFINGER
BERMAN DEVALERIO
Counsel for Granite Communications, Inc.

Dated: May 24, 2011

By: /s/ Michael Scarborough
MICHAEL SCARBOROUGH
SHEPPARD MULLIN RICHTER
& HAMPTON
Counsel for the Samsung Defendants

Dated: May 24, 2011

By: /s/ Lee H. Rubin
LEE H. RUBIN
MAYER BROWN LLP
*Counsel for Defendant
Cypress Semiconductor Corporation*


I, Christopher T. Micheletti, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Christopher T. Micheletti
Christopher T. Micheletti

The parties shall appear for a hearing on IP Plaintiffs' motion for preliminary approval of the settlement distribution plan and notice plan on June 9, 2011 at 2 pm, unless the matter is earlier taken off calendar.

IT IS SO ORDERED.

Dated: May 26, 2011


The Honorable Claudia Wilken
United States District Judge
Northern District of California
Oakland Division

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