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JUL 1 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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WILLIAM T. WALSH, CLERK

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2003 JUL -1 P 1:59

MOSAID TECHNOLOGIES INCORPORATED,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC., and
SAMSUNG AUSTIN SEMICONDUCTOR, L.P.,

Defendants.

UNITED STATES
DISTRICT COURT

Civil Action No. 01-4340 (WJM)

ENTERED

ON
THE DOCKET

ORDER

JUL 2 2003

WILLIAM T. WALSH, CLERK

By *JB*
(Deputy Clerk)

This matter having come before the Court by way of applications submitted by counsel for Samsung Electronics Co., Ltd. ("Samsung") and MOSAID Technologies Inc. ("MOSAID") to resolve certain discovery issues, and the Court having considered the May 13, 2003 letter submitted by Samsung, the May 14, 2003 letter from MOSAID, Samsung's letter response dated May 29, 2003, and MOSAID's June 4, 2003 letter response, and the Court having entertained the parties' arguments on June 5, 2003, good cause having been shown;

IT IS ON THIS DAY of June 30, 2003

ORDERED that MOSAID's Rule 30(b)(1) and 30(b)(6) witness Valerie Lines is to be deposed for an additional day, not to exceed seven hours, in Washington, D.C., in accordance with the parties' previous agreement; and it is further

ORDERED that Samsung make available for deposition Seungbum Ma in Washington, D.C. for questions regarding the scope of Samsung's production of the completion reports requested by MOSAID. The Court will re-address the issue as to the deficiency of

Samsung's production of the DRAM completion reports after MOSAID has deposed Mr. Ma; and it is further

ORDERED that by June 19, 2003, two weeks from the June 5, 2003 hearing, Samsung will identify and provide to MOSAID "snapshots" of the circuitry for each of the remaining DRAMs, not covered by the Court's January 31 Order. MOSAID will assess whether these snapshots provide legible circuitry for these DRAMs, and if the snapshots of the circuitry are not legible, the Court will re-address the issue; and it is further

ORDERED that Samsung identify when the simulation results for row decoders and Vpp generators were deleted, whether they are retrievable, and if so, at what expense. Samsung is also to ascertain from any specific engineers it can identify who worked on the simulation reports, whether they have the simulation results for the row decoders and Vpp generators on their workstations or in hard copy, and to produce copies of such simulations to the extent they exist; and it is further

ORDERED that by June 19, 2003, two weeks from the June 5, 2003 hearing, Samsung will identify and provide to MOSAID all model parameters, netlist parameters, electronic design rules, input stimulus, and input conditions necessary to simulate the accused Samsung products, if they are available, together with the identity of the programs used to simulate the accused DRAMs; and it is further

ORDERED that within fourteen (14) days of the construction of the claims by the Court, Samsung will be required to state whether it intends to rely on the opinion of counsel as a defense to willfulness, and if so, at that time it will have to turn over to MOSAID any opinion that it relied on;

ORDERED that MOSAID's request for Samsung's information regarding negotiations that did not result in licensing agreements is denied. The Court will re-evaluate MOSAID's request if MOSAID provides case law supporting its argument that such information is relevant; and it is further

ORDERED that by June 19, 2003, two weeks from the Court's June 5, 2003 hearing, Samsung will provide its gross and net profits, as well as a description of how it calculates the difference between the gross and net profits. After Samsung provides this information it will make available to MOSAID a deponent knowledgeable in Samsung's profit data, cost issues, and the calculation procedures for arriving at the difference between gross and net profits; and it is further

ORDERED that the Court will defer ruling on whether MOSAID can depose Samsung's Rule 30(b)(6) designee regarding the remaining DRAMs until after Samsung has provided the "snapshots" of the circuitry for these DRAMs, which it will do by June 19, 2003, and MOSAID has had the opportunity to determine whether these are legible; and it is further

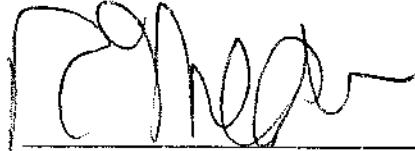
ORDERED that the Court will defer on allowing discovery regarding Samsung's corporate organization structure, to allow Samsung to draft a stipulation, stating that if a finding of infringement is made as to one defendant, it will bind all defendants. If the parties cannot agree to a stipulation, the Court will allow some discovery regarding Samsung's corporate organization structure; and it is further

ORDERED that Samsung's Rule 30(b)(1) witnesses, In Kyu Lee and Ilkcheol Kim, shall be deposed in Korea, unless the parties agree otherwise; and it is further

ORDERED that in lieu of MOSAID taking a Rule 30(b)(6) deposition regarding the scope of the subpoena of the Micron documents, by June 19, 2003, Samsung shall supplement its answers to Interrogatories and list all prior art; ~~and it is further~~

~~ORDERED that the Court will hold a Status Conference on June 30, 2003, at~~

~~10:30 a.m.~~



Honorable Ronald J. Hedges, U.S.M.J.