

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

MOSAID TECHNOLOGIES
INCORPORATED,

Plaintiff,

v.

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

Defendants.

INFINEON TECHNOLOGIES NORTH
AMERICA CORP.,

Plaintiff,

v.

MOSAID TECHNOLOGIES INC.,

Defendant.

MOSAID TECHNOLOGIES
INCORPORATED,

Counterclaimant,

v.

INFINEON TECHNOLOGIES NORTH
AMERICA CORP.,

INFINEON TECHNOLOGIES AG,

INFINEON TECHNOLOGIES HOLDING
NORTH AMERICA CORP., and

INFINEON TECHNOLOGIES RICHMOND
LP,

Counterdefendants.

Civil Action No. 01-4340 (WJM/RJH)
District of New Jersey

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OCT 13 2004

AT 8:30
VALLEY
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CLERK

Civil Action No. 03-4698 (WJM/RJH)
District of New Jersey

Transferred for Discovery Purposes from
Northern District of California
Civil Action No. 02-5722 (JF/RS)

SCHEDULING ORDER

This matter having come before the Court by way of the September 22, 2004 letter from Infineon Technologies North America Corp, *et al.* ("Infineon") regarding Letters Rogatory issued for the deposition of Edward Pascal, and MOSAID Technologies, Inc. ("MOSAID") having opposed for the reasons set forth in their September 24, 2004 letter; and the Court having heard counsels' arguments on September 28, 2004 regarding this issue and issues regarding scheduling; and for good cause shown, and for the reasons stated on the record;

IT IS ON THIS  day of October, 2004

ORDERED that MOSAID will withdraw any portions of its application to the Ontario Superior Court of Justice to intervene in the deposition of Edward Pascal, which address the scope of this Court's June 16, 2004 Order ; and it is further

ORDERED that all relevance objections during Mr. Pascal's deposition shall be deemed preserved pending their resolution by this Court; and it is further

ORDERED that the MOSAID and Samsung parties should discuss within fourteen (14) days of the rebuttal reports being due, by November 12, 2004, whether they are contemplating on using any computer generated or computer enhanced exhibits during trial, and if so, what type are to be submitted. The MOSAID and Samsung parties are to resolve any foundation issues relating to such exhibits before trial; and it is further

ORDERED that, if necessary, the Court shall hold a telephone conference on October 4, 2004 at 10:30 am relating to simulations issues between Infineon and MOSAID; and it is further

ORDERED that the Final Pretrial Conference for the MOSAID and Samsung parties shall be held on January 5, 2004 at 10 a.m.



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