UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

AUTHENTEC, INC.,

Plaintiff,

v. **Case No. 6:07-cv-734-Orl-28UAM**

ATMEL CORPORATION, ATMEL SWITZERLAND, ATMEL FRANCE, ATMEL SARL,

Defendants.

ORDER ON INTERESTED PERSONS AND CORPORATE DISCLOSURE

This Court makes an active effort to review each case in order to identify parties and interested corporations in which the assigned District Judge or Magistrate Judge may have an interest, as well as for other matters that might require consideration of recusal. It is therefore

ORDERED that, within **eleven** days[1] from the date of this order (or from the date of subsequent first appearance[2] in this action), each party, *pro se* party, governmental party, intervenor, non-party movant, and Rule 69 garnishee **shall file and serve** a CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT substantially in the following form:

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[1]Intermediate Saturdays, Sundays, and specified legal holidays are ***in***cluded in the computation of periods of eleven days or more. *See* Fed. R. Civ. P. 6(a); Local Rule 4.20. If this order was served by mail, add three days to the prescribed period. Fed. R. Civ. P. 6(e); Local Rule 4.20(a)(2). Service by facsimile constitutes a method of hand delivery for the purpose of computing the time within which any response is required. Local Rule 1.07(c).

[2]Every pleading or paper filed constitutes a general appearance of the party unless otherwise specified. Local Rule 2.03(a).

[CAPTION OF CASE]

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

I hereby disclose the following pursuant to this Court's Order on Interested Persons And Corporate Disclosure Statement:

1.) the name of each person, attorney, association of persons, firm, law firm, partnership, and corporation that has or may have an interest in a party to this action or in the outcome of this action, including subsidiaries, conglomerates, affiliates, parent corporations, publicly-traded companies that own 10% or more of a party's stock, and all other identifiable legal entities related to a party:[3] [insert list]

2.) the name of every other entity whose publicly-traded stock, equity, or debt may be substantially affected by the outcome of the proceedings:[4] [insert list]

3.) the name of every other entity which is likely to be an active participant in the proceedings, including the debtor and members of the creditors' committee (or if no creditors' committee the 20 largest unsecured creditors):[5] [insert list]

4.) the name of each victim (individual and corporate), including every person who may be entitled to restitution:[6] [insert list]

5.) Check one of the following:

_____ a. I certify that I am unaware of any actual or potential conflict of interest involving the District Judge and Magistrate Judge assigned to this case and will immediately notify the Court in writing upon learning of any such conflict.

-or-

_____ b. I certify that I am aware of a conflict or basis of recusal of the District Judge or Magistrate Judge as follows: (explain)

[Date]

_____
[Counsel of Record or *Pro Se* Party]
[Address and Telephone]

[Certificate of Service]

[3]This disclosure is to be given in all cases. A party should not routinely list an assigned District Judge or Magistrate Judge as an "interested person" absent some non-judicial interest.

[4]This disclosure is to be given in all cases.

[5]This disclosure is to be given in bankruptcy cases.

[6]This disclosure is to be given in criminal and civil cases.

It is **FURTHER ORDERED** that no party may seek discovery from any source before filing and serving a CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT. A motion, memorandum, response, or other paper — including emergency motion — may be denied or stricken unless the filing party has previously filed and served a CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT.

Conflicts Disclosure

The undersigned Judge and Magistrate Judges have placed on *www.flmd.uscourts.gov* (click on"Chambers", then click on the name of the Judge, e.g., "Honorable John Antoon II", then click on "Interest List") a list of investments, of which the Judge is aware, owned by family members of such Judge or by the Judge or the Magistrate Judge . This information is provided so that participants in this case will be able to advise the Court if there is any actual or apparent conflict of interest in the assignment of this case. This information is not to be used for any other purpose. It is anticipated that this list will be updated regularly. In addition to viewing the list on *www.flmd.uscourts.gov*, any party, counsel, or movant appearing in a case assigned to the undersigned Judge or the Magistrate Judge may view a copy of the list at the Clerk's office in Orlando, Florida.[7]

It is **FURTHER ORDERED** that each party has a continuing obligation to file and serve an amended CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT within eleven days of discovering any ground for amendment, for conflict of interest, for recusal, or for disqualification of the judicial officer.

[7]Attention is directed to the Ethics Reform Act of 1989, published in Title 5 of the United States Code Annotated, Appendix 4, Sections 101-112, for information concerning the procedure for obtaining copies of the Financial Disclosure Report, and to II Guide to Judiciary Policies and Procedures, Codes of Conduct for Judges and Judicial Employees, ch. I, Code of Conduct for United States Judges, Canon 3 and ch. V, Compendium of Selected Opinions, §3.1 (Administrative Office of the United States Courts 1999) for further information on recusable and non-recusable interests.

Therefore, it is **FURTHER ORDERED** that, in order to assist the Court in determining when a conflict of interest may exist, each party shall use the full caption of this case, including the names of all parties and intervenors, on all motions, memoranda, papers, and proposed orders submitted to the Clerk. *See* Fed. R. Civ. P. 10 (a); Local Rule 1.05 (b) ("*et al.*" discouraged).

JOHN ANTOON II
John Antoon II
United States District Judge

DAVID A. BAKER
David A. Baker
United States Magistrate Judge

JAMES G. GLAZEBROOK
James G. Glazebrook
United States Magistrate Judge

KARLA R. SPAULDING
Karla R. Spaulding
United States Magistrate Judge

May 15, 2007

Copies to: All Counsel of Record
All *Pro Se* Parties