EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

PROXIM INCORPORATED, Plaintiff, v. 3COM CORPORATION, SYMBOL TECHNOLOGIES, INC., WAYPORT INCORPORATED and SMC NETWORKS INCORPORATED, Defendants.	)	Civil Action No. 01-155-SLR
INTERSIL CORPORATION and CISCO SYSTEMS, INCORPORATED, Plaintiffs, v. PROXIM, INC., Defendant.	)	Civil Action No. 01-266-SLR

MEMORANDUM ORDER

At Wilmington this 28th day of November, 2001, having reviewed the various pending motions and heard oral argument on the same;

IT IS ORDERED, in connection with Proxim Incorporated v. 3COM Corporation, et al., C.A. No. 01-155-SLR, that:

1. **Motion to sever.** Plaintiff Proxim Incorporated's ("Proxim") motion to sever count four of the counterclaim filed by defendant Symbol Technologies, Inc. ("Symbol") (D.I. 40) is

granted. The fourth counterclaim introduces new patents and products into an already complex case. Severance pursuant to Fed.R.Civ.P. 21, therefore, serves the interests of judicial economy and justice.

2. **Motion to disqualify.** Symbol's motion to disqualify Proxim's counsel (D.I. 28) is denied. The court finds that the instant lawsuit is not "substantially related"[1] to the work done by Symbol's former counsel, Arnold White & Durkee, as illustrated by the following facts:

a. In January 2000, the law firm of Arnold White & Durkee merged with the law firm of Howrey & Simon to become the law firm of Howrey Simon Arnold & White, LLP. Proxim is represented by Howrey Simon Arnold & White, LLP, in the litigation at bar.

b. Arnold White & Durkee had a substantial relationship with Symbol between 1988 and 1992, both in patent prosecutions and litigation.

c. None of the attorneys who represented Symbol in the patent prosecutions is currently an attorney at Howrey Simon Arnold & White, LLP.

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[1] Webb v. E.I. DuPont de Nemours & Co., 811 F. Supp. 158, 163 (D. Del. 1992).

d. Of the 32 patents prosecuted by attorneys at Arnold White & Durkee, only 8 related to wireless technology generally. None relates to the specific technology at issue in Proxim's patents.

e. The only attorney presently with Howrey Simon White & Arnold, LLP who was involved in the litigation was a second year associate in 1992, when he left Arnold White & Durkee to work for another firm. He has just recently joined Howrey Simon Arnold & White, LLP.

f. Since 1994, a total of 268 hours have been billed to Symbol by Arnold White & Durkee. Only 7.4 hours have been billed since 1996 by attorneys still working for Howrey Simon Arnold & White, LLP.

g. Under these circumstances, the court is convinced that there are no attorneys within Howrey Simon Arnold & White, LLP who have the requisite confidences requiring disqualification. Although Symbol argues that the court should charge (on an institutional basis) knowledge of Symbol's litigation strategy, tactics, and patents, the passage of time has diminished the strength of this argument to the point where it is no longer compelling.

3. Other pending motions (D.I. 16, 48, 61, 75) are denied as moot.

4. Counsel for Proxim shall arrange a telephonic scheduling conference on December 19, 2001 at 4:30 p.m. among the parties and the court.

IT IS FURTHER ORDERED, in connection with Intersil Corporation and Cisco Systems, Inc. v. Proxim, Inc., C.A. No. 01-266-SLR, that Proxim's pending motion to dismiss (D.I. 7) is granted. The first-filed rule is honored by this court. Therefore, the declaratory judgment action filed by plaintiffs Intersil Corporation and Cisco Systems, Inc. shall be dismissed in favor of the action that was filed earlier in the United States District Court for the District of Massachusetts. Plaintiffs' motion to consolidate (D.I. 14) is denied as moot.

United States District Judge