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25 Attorneys for Defendant,
26 BIOGEN INC.

27 UNITED STATES DISTRICT COURT
28 EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

IXCHEL PHARMA, LLC,

Plaintiff,

v.

BIOGEN INC.,

Defendant.

Case No. 2:17-cv-00715-WBS-EFB

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE INITIAL
SCHEDULING CONFERENCE**

STIPULATION

Plaintiff Ixchel Pharma, LLC (“Ixchel”) and Defendant Biogen Inc. (“Biogen”), through their undersigned counsel, hereby respectfully stipulate and agree that:

WHEREAS, the initial scheduling conference in this action is currently on calendar for September 25, 2017 (Dkt. No. 9);

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WHEREAS, on September 12, 2017, the Court issued its Order granting Biogen's motion to dismiss as to all claims in the First Amended Complaint (Dkt. No. 25);

WHEREAS, the Court's Order provided that Ixchel could file a Second Amended Complaint within 20 days if it can do so consistent with the Order (Dkt. No. 25);

WHEREAS, Ixchel intends to file a Second Amended Complaint by October 2, 2017;

WHEREAS, in light of the above, Ixchel and Biogen have agreed, subject to the Court's approval, to vacate the initial scheduling conference and submit a joint proposed briefing and hearing schedule within 10 days after the filing of a Second Amended Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

The initial scheduling conference set for September 25, 2017 shall be vacated. The parties shall submit a revised joint proposed briefing and hearing schedule within 10 days after the filing of a Second Amended Complaint.

1 **SO STIPULATED AND AGREED TO BY:**

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3 Dated: September 18, 2017

/s/ Rocky C. Tsai

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Attorneys for Defendant,
BIOGEN INC.

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Dated: September 18, 2017

/s/ Richard C. Lin (as authorized on 9/18/17)

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Attorneys for Plaintiff,
IXCHEL PHARMA, LLC

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[PROPOSED] ORDER

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2 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Scheduling Conference is
3 continued from September 25, 2017 to **November 6, 2017 at 1:30 p.m.** An amended Joint
4 Status Report shall be filed no later than **October 23, 2017.**

5 Dated: September 19, 2017



6 WILLIAM B. SHUBB
7 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2017, I have caused a true and accurate copy of this document to be served upon counsel for the Plaintiff below via electronic service as set forth in the CM/ECF procedures of this Court:

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/s/ Rocky C. Tsai
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