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Attorney for Defendant,
BIOGEN INC.

UNITED STATES DISTRICT COURT
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 ON BRIEFING SCHEDULE,
HEARING, AND INITIAL
SCHEDULING CONFERENCE**

STIPULATION

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

WHEREAS, Ixchel filed its Complaint on April 4, 2017;

WHEREAS, the Court has currently set the initial scheduling conference for July 31, 2017 (Dkt. No. 3);

WHEREAS, counsel for Biogen was retained on April 13, 2017;

WHEREAS, counsel for Biogen are unavailable to appear on July 31, 2017;

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WHEREAS, Ixchel and Biogen have agreed, subject to the Court’s approval, to enlarge Biogen’s time to respond to the Complaint, reschedule the initial scheduling conference, and adjust related deadlines as set forth below;

WHEREAS, no prior extension of time has been requested, no case schedule has been entered, and the parties’ agreed time modifications would not affect any case schedule other than continuing the initial scheduling conference;

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

1. Biogen shall file and serve a motion to dismiss, answer, or other response to the Complaint by May 24, 2017.
2. Ixchel shall file and serve its opposition to any motion to dismiss by July 14, 2017.
3. Biogen shall file and serve its reply in support of any motion to dismiss by July 28, 2017.
4. Ixchel shall not move for a default judgment on the basis that Biogen has not filed and served a response to the Complaint by the original deadline of April 26, 2017.
5. The hearing on any motion to dismiss filed by Biogen shall be heard on **August 21, 2017 at 1:30 p.m.**
6. The initial scheduling conference shall be continued to **September 25, 2017 at 1:30 p.m.** A Joint Status Report shall be filed no later than **September 11, 2017.**

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SO STIPULATED AND AGREED TO BY:

Dated: April 18, 2017

/s/ Rocky C. Tsai

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Attorney for Defendant,
BIOGEN INC.

Dated: April 18, 2017

/s/ Christopher D. Banys (as authorized on 4/18/17)

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Attorney for Plaintiff,
IXCHEL PHARMA, LLC

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 20, 2017


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE