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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THERASENSE, INC.,
Plaintiff,

No. C 04-02123 WHA

v.

REQUEST FOR INPUT

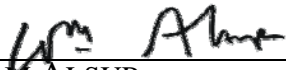
BECTON, DICKINSON AND
COMPANY,
Defendant.

AND CONSOLIDATED CASES.

By **NOON ON WEDNESDAY**, each side shall please address whether there are any contemporaneous memos, emails, or other documents in the trial record showing that Dr. Sanghera and/or Attorney Pope had in mind at the time of the withholding the arguments now made by Abbott to distinguish the EPO briefs. By contemporaneous, the Court means memos, emails, or other documents prepared or extant at or before the allowance of the '551 patent. Each side can submit statements that do not exceed three pages doubled spaced without footnotes.

IT IS SO ORDERED.

Dated: March 19, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California