

1 COOLEY GODWARD KRONISH LLP
STEPHEN C. NEAL (No. 170085) (nealsc@cooley.com)
2 RICARDO RODRIGUEZ (No. 173003) (rr@cooley.com)
MICHELLE S. RHYU (No. 212922) (mrhyu@cooley.com)
3 Five Palo Alto Square
3000 El Camino Real
4 Palo Alto, CA 94306-2155
Tel: (650) 843-5000
5 Fax: (650) 857-0663

6 Attorneys for Plaintiff and Counterclaim Defendant,
THE BOARD OF TRUSTEES OF THE LELAND STANFORD
7 JUNIOR UNIVERSITY and Counterclaim Defendants THOMAS
MERIGAN and MARK HOLODNIY
8

9 PRUETZ LAW GROUP LLP
Adrian M. Pruetz (Bar No. 118215) (ampruetz@pruetzlaw.com)
10 1600 Rosecrans Avenue, 4th Floor
Manhattan Beach, CA 90266
11 Telephone: (310) 321-7640
Facsimile: (310) 321-7641
12

13 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
Jeffrey N. Boozell (Bar No. 199507)
14 (jeffboozell@quinnemanuel.com)
865 South Figueroa Street, 10th Floor
15 Los Angeles, California 90017-2543
Telephone: (213) 443-3000
16 Facsimile: (213) 443-3100

17 Robert W. Stone (Bar No. 163513)
(robertstone@quinnemanuel.com)
18 Brian C. Cannon (Bar No. 193071)
(briancannon@quinnemanuel.com)
19 Tun-Jen Chiang (Bar No. 235165)
(tjchiang@quinnemanuel.com)
20 555 Twin Dolphin Drive, Suite 560
Redwood Shores, California 94065
21 Telephone: (650) 801-5000
Facsimile: (650) 801-5100
22

23 Attorneys for Defendants and Counterclaimants Roche
Molecular Systems, Inc.; Roche Diagnostics Corporation; and
24 Roche Diagnostics Operations, Inc.

25 UNITED STATES DISTRICT COURT

26 NORTHERN DISTRICT OF CALIFORNIA
27
28

THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
UNIVERSITY,

Plaintiff,

v.

ROCHE MOLECULAR SYSTEMS, ET AL.,
Defendants.

ROCHE MOLECULAR SYSTEMS, ET AL.,
Counterclaimants,

v.

THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
UNIVERSITY; THOMAS MERIGAN; AND
MARK HOLODNIY,

Counterclaim Defendants.

Case No. C 05 04158 MHP

**[PROPOSED] ORDER RE CASE
MANAGEMENT**

IT IS HEREBY ORDERED:

The parties are limited to 25 interrogatories, 100 requests for admission, and 70 hours of deposition per side (not per party) excluding time expended in deposing expert witnesses. No previously deposed witnesses can be deposed for more than one additional half day of 3.5 hours.

The case shall proceed on the following schedule:

Event	Due Date
CMC	3/19/07
Last day to amend pleadings without leave of court	03/26/07
Last day for Defendants to respond to amended pleadings and for patentee to serve Disclosure of Asserted Claims and Preliminary Infringement Contentions and produce initial patent disclosures	04/13/07
Last day for accused infringer to serve Preliminary Invalidity Contentions and produce initial patent disclosures	5/24/07

Event	Due Date
Exchange Proposed Disputed Terms	06/08/07
Last day for simultaneous exchange Preliminary Claim Construction and identify extrinsic evidence	06/22/07
Last day to file Joint Claim Construction and Prehearing Statement	7/6/07
Claim Construction Prehearing Conference	07/30/07; 3:00 p.m.
Completion of claim construction discovery	07/30/07
Opening claim construction brief	08/10/07
Responsive claim construction brief	08/29/07
Reply claim construction brief	09/12/07
Claim construction hearing	10/03/07
Damages discovery: damages document production begins on pending and due request; responses to written discovery solely related to damages due; additional damages discovery begins	10/03/07
Last day to amend Preliminary Infringement Contention pursuant to Pat LR 3-6 (a)	30 days after Claim Construction Order
Last day to amend Preliminary Invalidity Contentions pursuant to Pat LR 3-6(b)	50 days after Claim Construction Order
Last day for accused infringer to produce opinions of counsel and related privilege log re willfulness	50 days after Claim Construction Order
Begin discovery related to opinions of counsel and willfulness pursuant to Pat LR 3-8	50 days after Claim Construction Order
End of Fact Discovery	01/11/08
Opening Expert Reports due for Party with burden of proof	2/06/08
Rebuttal Expert Reports due	2/22/08
End of Expert Discovery	03/21/08
Last Day for filing dispositive motions	04/11/08
Last Day for Opposition Briefs	4/29/08
Last Day for Reply Briefs	5/9/08
Hearing on dispositive motions	5/26/08
Pretrial conference	06/30/08 or per Court's schedule

Event	Due Date
Trial	07/18/08 07/15/2008 at 8:30 a.m.

Dated: March 30, 2007

/s/

Michelle Rhyu
Attorneys for Plaintiff and Counterclaim
Defendant, The Board of Trustees of the Leland
Stanford Junior University and Counterclaim
Defendants Thomas Merigan and Mark Holodniy

Dated: March 30, 2007

/s/

Brian C. Cannon
Attorneys for Defendants and Counterclaim
Plaintiffs Roche Molecular Systems, Inc.; Roche
Diagnostics Corporation; and Roche Diagnostics
Operations, Inc.

/s/

Filer's Attestation: Pursuant to General Order No.
45, Section X(B) regarding signatures, Michelle
Rhyu hereby attests that concurrence in the filing
of the document has been obtained.

Dated: June 1, 2007

HONORABLE MARILYN HALL PATEL
United States District Judge

