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1 THE BOARD OF TRUSTEES OF THE  
 2 LELAND STANFORD JUNIOR  
 3 UNIVERSITY,

4 Plaintiff,

5 v.

6 ROCHE MOLECULAR SYSTEMS, ET AL.,

7 Defendants.

8 ROCHE MOLECULAR SYSTEMS, ET AL.,

9 Counterclaimants,

10 v.

11 THE BOARD OF TRUSTEES OF THE  
 12 LELAND STANFORD JUNIOR  
 13 UNIVERSITY; THOMAS MERIGAN; AND  
 14 MARK HOLODNIY,

15 Counterclaim Defendants.

Case No. C 05 04158 MHP

**[PROPOSED] ORDER RE CASE  
 MANAGEMENT**

16 IT IS HEREBY ORDERED:

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

20 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

	<b>Event</b>	<b>Due Date</b>
1	Exchange Proposed Disputed Terms	06/08/07
2	Last day for simultaneous exchange Preliminary Claim Construction and identify extrinsic evidence	06/22/07
3	Last day to file Joint Claim Construction and Prehearing Statement	7/6/07
4	Claim Construction Prehearing Conference	07/30/07; 3:00 p.m.
5	Completion of claim construction discovery	07/30/07
6	Opening claim construction brief	08/10/07
7	Responsive claim construction brief	08/29/07
8	Reply claim construction brief	09/12/07
9	Claim construction hearing	10/03/07
10	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
11	Last day to amend Preliminary Infringement Contention pursuant to Pat LR 3-6 (a)	30 days after Claim Construction Order
12	Last day to amend Preliminary Invalidity Contentions pursuant to Pat LR 3-6(b)	50 days after Claim Construction Order
13	Last day for accused infringer to produce opinions of counsel and related privilege log re willfulness	50 days after Claim Construction Order
14	Begin discovery related to opinions of counsel and willfulness pursuant to Pat LR 3-8	50 days after Claim Construction Order
15	End of Fact Discovery	01/11/08
16	Opening Expert Reports due for Party with burden of proof	2/06/08
17	Rebuttal Expert Reports due	2/22/08
18	End of Expert Discovery	03/21/08
19	Last Day for filing dispositive motions	04/11/08
20	Last Day for Opposition Briefs	4/29/08
21	Last Day for Reply Briefs	5/9/08
22	Hearing on dispositive motions	5/26/08
23	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.

4 Dated: March 30, 2007

5 /s/

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

9 Dated: March 30, 2007

10 /s/

11 Brian C. Cannon  
12 Attorneys for Defendants and Counterclaim  
13 Plaintiffs Roche Molecular Systems, Inc.; Roche  
14 Diagnostics Corporation; and Roche Diagnostics  
15 Operations, Inc.

16 Dated: June 1 \_\_\_\_\_, 2007

17 /s/  
18 Filer's Attestation: Pursuant to General Order No.  
19 45, Section X(B) regarding signatures, Michelle  
20 Rhyu hereby attests that concurrence in the filing  
21 of the document has been obtained.

