

United States District Court
For the Northern District of California

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

THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
UNIVERSITY,

Plaintiff

v.

ROCHE MOLECULAR SYSTEMS, INC., et
al.,

Defendants

No. C 05-4158 MHP

RE
**ORDER GRANTING DEFENDANTS'
EMERGENCY MOTION TO ENFORCE
COURT ORDER REGARDING EXPERT
WITNESS DEPOSITION; GRANTING
MOTION TO SHORTEN TIME**

Before the Court is defendant Roche Molecular Systems, Inc., Roche Diagnostics Corporation, and Roche Diagnostics Operations, Inc.'s (collectively, Roche") "Emergency Motion to Enforce Court Order Regarding Expert Witness Deposition," and "Motion to Shorten Time Pursuant to Civil Local Rule 6-3 Regarding Roche's Emergency Motion to Enforce Court Order Regarding Expert Deposition," both filed August 10, 2007.

Plaintiff/counterclaim defendant the Board of Trustees of the Leland Stanford Junior University and counterclaim defendants Thomas Merigan and Mark Holodniy (collectively, "Stanford") have jointly filed opposition.¹ Having considered the papers filed in support of and in opposition to the motions, the Court rules as follows:

1. The motion to shorten time is hereby **GRANTED**.

ruled upon as follows:

¹Although the caption of the opposition states that Stanford opposes the motion to enforce and the motion to shorten time, the opposition only addresses the motion to enforce.

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2. If Stanford intends to rely on attestations, declarations or other statements of Fred Kramer in their reply, they shall make him available for deposition if requested by Roche. If they fail to make him available, they may not rely on him in their reply.

3. The parties shall use all efforts to comply with this order and the time frames set in this action. They shall also cooperate in all respects to fairly expedite the preparation and hearing of the upcoming matters. Lack of reasonableness, chary interpretation of this order or sharp practices will be dealt with appropriately by this court.

IT IS SO ORDERED.

Date:

August 13, 2007


Mafilyn Hall Patel
United States District Judge