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THE BOARD OF TRUSTEES OF THE LELAND STANFORD
7 JUNIOR UNIVERSITY and
Counterclaim Defendant, THOMAS MERIGAN
8

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12
13

14 THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR
15 UNIVERSITY,

16 Plaintiff,

17 v.

18 ROCHE MOLECULAR SYSTEMS, ET AL.,
19 Defendants.
20

21 ROCHE MOLECULAR SYSTEMS, ET AL.,
22 Counterclaimants,

23 v.

24 THE BOARD OF TRUSTEES OF THE
25 LELAND STANFORD JUNIOR
UNIVERSITY; AND THOMAS MERIGAN,
26 Counterclaim Defendants.
27
28

Case No. C 05 04158 MHP

**STIPULATION TO EXTEND TIME
FOR COUNTERCLAIM
DEFENDANT MERIGAN TO
RESPOND TO DEFENDANTS'
COUNTERCLAIMS AND
~~PROPOSED~~ ORDER**

WHEREAS, Defendants Roche Molecular Systems, Inc., Roche Diagnostics Corporation, and Roche Diagnostics Operations, Inc. ("Roche") and Plaintiff Board of Trustees of The Leland Stanford Junior University ("Stanford") agreed and stipulated on November 2, 2005 to extend the time for (1) Roche to respond to Stanford's Complaint from November 3, 2005 until November 17, 2005 and (2) Stanford to respond to Roche's response from December 7, 2005 until December 21, 2005;

WHEREAS, Roche asserted counterclaims against Stanford and Thomas Merigan ("Merigan") in its Answer and Counterclaims filed on November 17, 2005;

WHEREAS, Merigan was not a part of the previous stipulation to extend time;

WHEREAS, Roche, Stanford and Merigan have agreed to extend Merigan's time to respond to Roche's Answer and Counterclaims from December 7, 2005 until December 21, 2005, so that as the deadline for Merigan's response coincides with that for Stanford's response;

THEREFORE, pursuant to Civil L.R. 6-1, Roche, Stanford and Merigan, by and through their respective counsel, hereby stipulate and agree that Merigan's last day on which to respond to Roche's Answer and Complaint is December 21, 2005.

EXECUTED this 30th day of November, 2005.

STIPULATED AND AGREED:

Dated: November 30, 2005

COOLEY GODWARD LLP
STEPHEN C. NEAL
RICARDO RODRIGUEZ
MICHELLE S. RHYU

/s/

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

1 Dated: November 30, 2005

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP
ADRIAN M. PRUETZ
JEFFREY N. BOOZELL
ROBERT W. STONE

6 /s/

Jeffrey N. Boozell
Attorneys for Defendants Roche Molecular
Systems, Inc.; Roche Diagnostics Corporation; and
Roche Diagnostics Operations, Inc.

9 *Filer's Attestation: Pursuant to General Order No.*
10 *45, Section X(B) regarding signatures, Michelle S.*
11 *Rhyu hereby attests that concurrence in the filing*
12 *of the document has been obtained*

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14 Date: 12/6/2005

United States District Court for the Northern District of California

