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11 Attorneys for Defendants and Counterclaimants Roche
 12 Molecular Systems, Inc.; Roche Diagnostics Corporation; and
 Roche Diagnostics Operations, Inc.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

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

17 Plaintiff,

vs.

18 ROCHE MOLECULAR SYSTEMS, INC.; ROCHE
 19 DIAGNOSTICS CORPORATION; ROCHE
 DIAGNOSTICS OPERATIONS, INC.; ROCHE
 20 DIAGNOSTIC SYSTEMS, INC.,

Defendant.

22 ROCHE MOLECULAR SYSTEMS, INC.; ROCHE
 23 DIAGNOSTICS CORPORATION; ROCHE
 DIAGNOSTICS OPERATIONS, INC.,

Counterclaimants,

24 vs.

25 THE BOARD OF THE TRUSTEES OF THE
 26 LELAND STANFORD JUNIOR UNIVERSITY;
 AND THOMAS MERIGAN,

Counterclaim Defendants.

CASE NO. C-05-04158 MHP

STIPULATION PERMITTING
 DEFENDANTS TO AMEND
 ANSWER AND
 COUNTERCLAIMS WITHOUT
 OBJECTION

~~[PROPOSED]~~ ORDER THEREON

1 WHEREAS, Defendants and Counterclaimants Roche Molecular Systems, Roche
2 Diagnostic Corporation, and Roche Diagnostic Operations, (collectively "Roche") wishes to
3 amend its Answer and Counterclaims ("Amended Answer & Counterclaims"), and;

4 WHEREAS, Plaintiff The Board of the Trustees of the Leland Stanford Junior
5 University and Counterclaim Defendant Thomas Merigan (collectively "Stanford"), have reviewed
6 Roche's proposed Amended Answer and Counterclaims, attached hereto as Exhibit A, and do not
7 object to filing of said Amended Answer & Counterclaims, provided that this consent reflects no
8 concession by Plaintiff as to its assertion that breach of contract issues are not part of the first,
9 ownership phase of this suit;

10 NOW, THEREFORE the parties by and through their counsel hereby stipulate to
11 and petition the Court to enter the Defendants' Amended Answer and Counterclaims; the parties
12 by and through their counsel further stipulate that Counterdefendants' Amended Reply shall be due
13 on August 4, 2006.

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1 EXECUTED this ___ day of June, 2006.

2 STIPULATED AND AGREED:

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Dated: June 26 2006

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


Michelle Rhyu
Attorneys for Plaintiff The Board of Trustees of
the Leland Stanford Junior University

Dated: June 29, 2006

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Robert W. Stone
Attorneys for Defendants Roche Molecular
Systems, Inc.; Roche Diagnostics Corporation; and
Roche Diagnostics Operations, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: Dated: June 30, 2006

