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

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

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

17 Plaintiff,

18 vs.

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

21 Defendants.

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

24 Counterclaimants,

25 vs.

26 THE BOARD OF TRUSTEES OF THE LELAND  
 27 STANFORD JUNIOR UNIVERSITY; AND  
 THOMAS MERIGAN.

28 Counterclaim Defendants.

CASE NO. C-05-04158 MHP

~~PROPOSED~~ ORDER AND  
 STIPULATION RE: EXTENSION OF  
 BRIEFING SCHEDULE AND TIME  
 TO COMPLETE DEPOSITION  
 DISCOVERY

1 WHEREAS, the Court has suggested that the parties stipulate to extend the discovery  
2 cutoff and briefing schedule for 30 days beyond the dates set forth in the Stipulation filed on  
3 August 24, 2006; and

4 WHEREAS, the parties agree to extend the discovery cutoff as recommended provided  
5 that absent agreement of the parties there shall be no further extensions requested or granted;

6 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

7 1. The deadline for completion of deposition discovery shall be extended from  
8 September 14, 2006 to October 13, 2006.

9 2. During the extension provided for by this stipulation, the parties may complete  
10 deposition discovery that is currently outstanding. Additional depositions shall not be noticed or  
11 scheduled as a result of this stipulation absent agreement of the parties or order of the Court.

12 3. No party shall be deemed to have waived, as a result of this stipulation, any of its  
13 objections to currently noticed depositions, including objections based on the appropriateness of  
14 those depositions or the timeliness of the service of the notices of deposition and/or subpoenas.

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1 The schedule for submitting briefs and for the hearing on the Motions for Summary Judgment  
2 relating to the first phase of this case shall be amended as follows:

3 Identification of Topics for Summary Judgment	October 20, 2006
4 Opening Summary Judgment Briefs	October 27, 2006
5 Responsive Briefs	November 15, 2006
6 Hearing	December 4, 2006

9 Dated: September 14, 2006

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

12 /S/

13  
14 Michelle S. Rhyu  
15 Attorneys for Plaintiff and Counterclaim  
16 Defendant The Board of Trustees of the Leland  
17 Stanford Junior University and Counterclaim  
18 Defendant Thomas Merigan

16 Dated: September 15, 2006

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

19 /S/

20 Robert W. Stone  
21 Attorneys for Defendants and Counterclaim  
22 Plaintiff Roche Molecular Systems, Inc.; Roche  
23 Diagnostics Corporation; and Roche Diagnostics  
24 Operations, Inc.

24 **ORDER**

25 **IT IS SO ORDERED.**

26 Dated: 9/21/2006



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**Attestation of E-Filed Signature**

I, Robert W. Stone, am the ECF user whose ID and password are being used to file a **Stipulation Re: Extension of Briefing Schedule and Time to Complete Deposition Discovery**. In compliance with General Order 45, X.B., I hereby attest that Michelle Rhyu has concurred in the filing.

DATED: September 15, 2006

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

By \_\_\_\_\_ /S/ \_\_\_\_\_  
Robert W. Stone  
Attorneys for Defendants and Counterclaimants  
Roche Molecular Systems, Inc.; Roche Diagnostics  
Corporation; and Roche Diagnostics  
Operations, Inc.