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

APPLERA CORPORATION-APPLIED
BIOSYSTEMS GROUP, a Delaware
corporation,

No. C 07-02845 WHA

Plaintiff,

v.

**ORDER VACATING TRIAL
DATES**

ILLUMINA, INC., a Delaware corporation,
SOLEA INC., a Delaware corporation, and
STEPHEN C. MACEVICZ, an individual,

Defendants.

As of today, the United States has decided to proceed with the capital prosecution so that the Court will be hard pressed to try the above-captioned case in December. There is a reasonable chance that the above-captioned civil case can be tried in January since the jury will likely be selected in the capital case by December 19 but the actual criminal trial will not commence until late January or February. As a result, all trial dates in December are **VACATED** and reset for **JANUARY 5, 2009, AT 7:30AM.**

Dated: November 3, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California