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**COUNSEL LISTED
ON FOLLOWING PAGES**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

GENENTECH, INC. and BIOGEN IDEC
INC.,

Plaintiffs,

v.

SANOFI-AVENTIS DEUTSCHLAND
GMBH, SANOFI-AVENTIS U.S. LLC, and
SANOFI-AVENTIS U.S. INC.,

Defendants.

Case No.: C 08-04909 SI (BZ)

**STIPULATION AND [PROPOSED]
ORDER GRANTING DEFENDANTS
LEAVE TO FILE THEIR REPLIES IN
SUPPORT OF THEIR MOTIONS TO
DISMISS AND CONFIDENTIAL
SUPPORTING DOCUMENTS THERETO
UNDER SEAL**

Date: June 5, 2009

Time: 9:00 a.m.

Courtroom 10

The Honorable Susan Illston

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1 Pursuant to Local Rule 79-5, the Court’s Standing Order, and the Protective Order effective
2 pursuant to Patent L.R. 2-2, the parties hereby stipulate to the filing under seal of (i) Defendant
3 Sanofi-Aventis Deutschland GmbH’s Reply in Support of Its Motion to Dismiss For Lack Of
4 Personal Jurisdiction; (ii) Defendants Sanofi-Aventis U.S. LLC’s and Sanofi-Aventis U.S. Inc.’s
5 Reply in Support of Their Motion To Dismiss For Lack Of Subject Matter Jurisdiction and Failure
6 To State A Claim; (ii) Exhibits 1-8, 10, 12, 13, and 15-17 to the Declaration of Sydney R. Kokjohn
7 in Support of Sanofi-Aventis Deutschland GmbH’s Motion to Dismiss for Lack of Personal
8 Jurisdiction and Sanofi-Aventis U.S. LLC and Sanofi-Aventis U.S. Inc.’s U.S. Defendants’ Motion
9 to Dismiss for Lack of Subject Matter Jurisdiction and Failure to State a Claim, and (iv) all other
10 documents designated “Confidential,” “Highly Confidential,” and/or “Attorney’s Eyes Only.”

11 These briefs and exhibits include materials that the parties have designated “Confidential,”
12 “Highly Confidential,” and/or “Attorney’s Eyes Only” pursuant to the Protective Order.
13 Accordingly, the parties request that the Court order that those declaration exhibits so designated and
14 the briefs, which refer to the contents of those exhibits, be filed under seal.

15
16 Dated: May 8, 2009

Respectfully submitted,

17 HARVEY SISKIND LLP
18 D. PETER HARVEY
19 RAFFI V. ZEROUNIAN

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26 By: _____
27 Raffi V. Zerounian

28 Attorneys for Defendants
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GMBH, SANOFI-AVENTIS U.S. LLC,
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I, Raffi V. Zerounian, am the ECF User whose identification and password are being used to file this document. Pursuant to General Order 45.X.B. I hereby attest that counsel for Plaintiffs has concurred in this filing.

Dated: May 8, 2009

Respectfully submitted,

HARVEY SISKIND LLP

By: /s/
 Raffi V. Zerounian

1 Pursuant to the stipulation of the parties and with good cause appearing, the Court GRANTS
2 Defendants leave to file under seal (i) Defendant Sanofi-Aventis Deutschland GmbH's Reply in
3 Support of Its Motion to Dismiss For Lack Of Personal Jurisdiction; (ii) Defendants Sanofi-Aventis
4 U.S. LLC's and Sanofi-Aventis U.S. Inc.'s Reply in Support of Their Motion To Dismiss For Lack
5 Of Subject Matter Jurisdiction and Failure To State A Claim; (ii) Exhibits 1-8, 10, 12, 13, and 15-17
6 to the Declaration of Sydney R. Kokjohn in Support of Sanofi-Aventis Deutschland GmbH's Motion
7 to Dismiss for Lack of Personal Jurisdiction and Sanofi-Aventis U.S. LLC and Sanofi-Aventis U.S.
8 Inc.'s U.S. Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction and Failure to
9 State a Claim, and (iv) all other documents designated "Confidential," "Highly Confidential," and/or
10 "Attorney's Eyes Only."

11 IT IS SO ORDERED.

12 Date:



The Honorable Susan Illston
United States District Court Judge