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**COUNSEL LISTED
ON FOLLOWING PAGE**

**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 LEAVE TO FILE
UNDER SEAL EXHIBITS 13 AND
22 TO THE DECLARATION OF
SYDNEY R. KOKJOHN IN
SUPPORT OF SANOFI'S
OPPOSITION TO GENENTECH'S
MOTION TO DISQUALIFY
McDONNELL BOEHNEN
HULBERT AND BERGHOFF LLP**

SANOFI-AVENTIS DEUTSCHLAND GMBH,

Counterplaintiff,

v.

GENENTECH, INC. and BIOGEN IDEC INC.,
Counterdefendants.

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1 Pursuant to Local Rule 79-5, the Court’s Standing Order, and the Stipulated Protective
2 Order, the parties hereby stipulate to the filing under seal of all documents designated
3 “Confidential,” “Highly Confidential,” and/or “Attorney’s Eyes Only” filed in support of Sanofi’s
4 Opposition to Genentech’s Motion to Disqualify McDonnell Boehnen Hulbert and Berghoff LLP,
5 namely, Exhibits 13 and 22 to the Declaration of Sydney R. Kokjohn.

6 These briefs and exhibits may include materials that Genentech has designated
7 “Confidential,” “Highly Confidential,” and/or “Attorney’s Eyes Only” pursuant to the Stipulated
8 Protective Order. Accordingly, the parties request that the Court order that those declaration
9 exhibits so designated be filed under seal.

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11 DATED: November 13, 2009

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

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By /s/Gabriel S. Gross
Gabriel S. Gross
Attorneys for Plaintiff/Counterdefendant
Genentech, Inc.

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16 DATED: November 13, 2009

FOLEY HOAG LLP

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By /s/Jeremy A. Younkin
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Biogen Idec Inc.

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21 DATED: November 13, 2009

MCDONNELL BOEHNEN
HULBERT & BERGHOFF LLP

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By /s/Joshua R. Rich
Joshua R. Rich
Attorneys for Defendant/Counterplaintiff
Sanofi-Aventis Deutschland GmbH

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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/Counterdefendants have concurred in this filing.

DATED: November 13, 2009

HARVEY SISKIND LLP

By /s/ Raffi V. Zerounian
Raffi V. Zerounian
Attorneys for Defendant/Counterplaintiff
Sanofi-Aventis Deutschland GmbH

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[PROPOSED] ORDER

Pursuant to the stipulation of the parties and with good cause appearing, the Court GRANTS Sanofi-Aventis Deutschland GmbH leave to file under seal Exhibits 13 and 22 to the Declaration of Sydney R. Kokjohn filed in support of Sanofi's Opposition to Genentech's Motion to Disqualify McDonnell Boehnen Hulbert and Berghoff LLP.

IT IS SO ORDERED.

November __, 2009



The Honorable Susan Illston
UNITED STATES DISTRICT JUDGE