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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GENENTECH, INC. and BIOGEN IDEC INC.,  
  
Plaintiffs,  
  
v.  
  
SANOFI-AVENTIS DEUTSCHLAND GMBH,  
  
Defendant.

CASE NO. 3:08-cv-04909-SI  
CASE NO. 4:09-cv-04919-CW

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SANOFI-AVENTIS DEUTSCHLAND GMBH,  
  
Counterplaintiff,  
  
v.  
  
GENENTECH, INC. and BIOGEN IDEC INC.,  
Counterdefendants.

STIPULATION AND [PROPOSED]  
ORDER GRANTING LEAVE TO FILE  
UNDER SEAL CONFIDENTIAL  
DOCUMENTS RELATED TO  
GENENTECH'S REPLY IN SUPPORT  
OF ITS MOTION TO DISQUALIFY  
McDONNELL BOEHNEN HULBERT  
AND BERGHOFF LLP

**COUNSEL LISTED ON FOLLOWING PAGE**

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STIPULATION AND [PROPOSED] ORDER GRANTING LEAVE TO FILE UNDER SEAL  
CONFIDENTIAL DOCUMENTS RELATED TO GENENTECH'S REPLY IN SUPPORT OF ITS  
MOTION TO DISQUALIFY McDONNELL BOEHNEN HULBERT AND BERGHOFF LLP  
CASE NO. 3:08-cv-04909-SI

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Attorneys for Defendant Sanofi-Aventis Deutschland GmbH

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” and appended as exhibits to  
4 declarations filed in support of Genentech’s Reply In Support of Its Motion to Disqualify  
5 McDonnell Boehnen Hulbert and Berghoff LLP.

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

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11 DATED: November 20, 2009

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

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By /s/Victoria F. Maroulis  
Victoria F. Maroulis  
Attorneys for Plaintiff and Counterdefendant  
Genentech, Inc.

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16 DATED: November 20, 2009

FOLEY HOAG LLP

17

18

By /s/Jeremy A. Younkin  
Jeremy A. Younkin  
Attorneys for Plaintiff and Counterdefendant  
Biogen Idec Inc.

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21 DATED: November 20, 2009

MCDONNELL BOEHNEN  
HULBERT & BERGHOFF LLP

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

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I, Victoria F. Maroulis, 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 Defendants has concurred in this filing.

DATED: November 20, 2009

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

By /s/ Victoria F. Maroulis  
Victoria F. Maroulis  
Attorneys for Plaintiff and Coutnerdefendant  
Genentech, Inc.

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**[PROPOSED] ORDER**

Pursuant to the stipulation of the parties and with good cause appearing, the Court GRANTS the parties leave to file under seal all documents designated “Confidential,” “Highly Confidential,” and/or “Attorney’s Eyes Only” and appended as exhibits to declarations filed in support of Genentech’s Reply In Support of Its Motion to Disqualify McDonnell Boehnen Hulbert and Berghoff LLP.

**IT IS SO ORDERED.**

November \_\_, 2009



\_\_\_\_\_  
The Honorable Susan Illston  
UNITED STATES DISTRICT JUDGE