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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GENENTECH, INC., et al.,	)	
	)	
Plaintiff(s),	)	No. C08-4909 SI (BZ)
	)	
v.	)	
	)	<b>BRIEFING ORDER</b>
SANOFI-AVENTIS DEUTSCHLAND	)	
GMBH, et al.,	)	
	)	
Defendant(s).	)	
_____	)	

Following a telephone conference about the current dispute over defendant Sanofi's "Experimental Test Report," at which all parties were represented by counsel, **IT IS ORDERED** as follows:

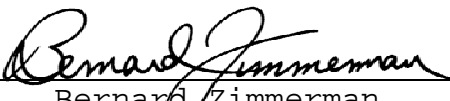
1. Sanofi has leave to file a motion for an appropriate protective order. If it fails to do so in a fashion which Genentech deems timely, Genentech has leave to file a motion to compel. In either event, the burden of establishing whether the Report is entitled to protection under Rule 26 lies with Sanofi. Contratto v. Ethicon, Inc., 227 F.R.D. 304, (N.D. Cal. 2005).

2. The moving papers shall be signed by the most senior

1 attorney representing the moving party. The Court will deem  
2 that attorney's signature as certifying that the attorney has  
3 read the moving papers and that they are consistent with  
4 Federal Rules of Civil Procedure 1 and 26, especially 26(c).

5 3. The opposition shall be signed by the most senior  
6 attorney representing that party. The Court will deem that  
7 attorney's signature as certifying that the attorney has read  
8 the opposition and that it is consistent with Federal Rules of  
9 Civil Procedure 1 and 26, especially 26(c).

10 Dated: December 18, 2009

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12 \_\_\_\_\_  
Bernard Zimmerman  
United States Magistrate Judge

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