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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SANOFI-AVENTIS DEUTSCHLAND GMBH,
Plaintiff,
vs.
GENENTECH, INC. and BIOGEN IDEC INC.
Defendants.

CASE NO. 08-cv-04909-SI (BZ)
CASE NO. 09-cv-04919-SI

STIPULATION AND [PROPOSED] ORDER
GRANTING LEAVE TO FILE UNDER
SEAL DEFENDANTS' RESPONSIVE
CLAIM CONSTRUCTION BRIEF AND
SUPPORTING DOCUMENTS

Honorable Susan Illston
United States District Judge

COUNSEL LISTED ON FOLLOWING PAGE

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Attorneys for Plaintiff 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 of the following under seal: (i) Defendants’
3 Responsive Claim Construction Brief, which is designated “Highly Confidential – Attorneys’
4 Eyes Only – Restricted”; and (ii) supporting documents designated as “Confidential,” “Highly
5 Confidential – Attorneys’ Eyes Only,” “Highly Confidential – Attorneys’ Eyes Only –
6 Restricted,” or “Confidential – Outside Counsel’s Eyes Only” by one or more of the parties.

7 Defendants’ Responsive Claim Construction Brief and supporting documents include
8 information confidential to the parties. Accordingly, the parties request that the Court order that
9 Defendants’ Responsive Claim Construction Brief and the confidential supporting documents
10 thereto be filed under seal.

11
12 DATED: February 17, 2010

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

13
14 By /s/ Victoria F. Maroulis
15 Victoria F. Maroulis
16 Attorneys for Defendant
Genentech, Inc.

17 DATED: February 17, 2010

FOLEY HOAG LLP

18
19 By /s/ Claire Laporte
20 Claire Laporte
21 Attorneys for Defendant
Biogen Idec Inc.

22 DATED: February 17, 2010

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24 By /s/ Alison J. Baldwin
25 Alison J. Baldwin
26 Attorneys for Plaintiff
27 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 Sanofi-Aventis Deutschland GmbH and counsel for Biogen Idec Inc. concurred in this filing.

DATED: February 17, 2010

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

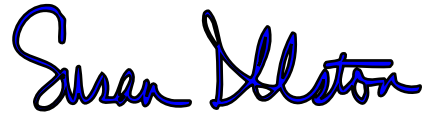
By /s/ Victoria F. Maroulis
Victoria F. Maroulis
Attorneys for Defendant Genentech, Inc.

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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 Defendants' responsive claim construction brief and confidential supporting documents thereto.

IT IS SO ORDERED.



February __, 2010

The Honorable Susan Illston
UNITED STATES DISTRICT JUDGE