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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 DOCUMENTS  
RELATED TO SANOFI'S REPLY IN  
SUPPORT OF ITS MOTION FOR  
LEAVE TO AMEND ITS PLEADINGS  
AND INFRINGEMENT  
CONTENTIONS  
  
**Honorable Susan Illston  
United States District Judge**

**COUNSEL LISTED ON FOLLOWING PAGE**

STIPULATION AND [PROPOSED] ORDER GRANTING  
LEAVE TO FILE UNDER SEAL DOCUMENTS RELATED  
TO SANOFI'S REPLY IN SUPPORT OF ITS MOTION FOR LEAVE TO  
AMEND ITS PLEADINGS AND INFRINGEMENT CONTENTIONS

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

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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 of the following under seal: (i) Sanofi’s Reply in  
3 Support of Its Motion for Leave to Amend Its Pleadings and Infringement Contentions, which  
4 includes information designated “Highly Confidential – Attorneys’ Eyes Only – Restricted”; and  
5 (ii) supporting documents designated as “Confidential,” “Highly Confidential – Attorneys’ Eyes  
6 Only,” “Highly Confidential – Attorneys’ Eyes Only – Restricted,” or “Confidential – Outside  
7 Counsel’s Eyes Only” by one or more of the parties.

8 Sanofi’s Reply in Support of Its Motion for Leave to Amend Its Pleadings and  
9 Infringement Contentions and supporting documents include information confidential to the  
10 parties. Accordingly, the parties request that the Court order that Defendants’ Responsive Claim  
11 Construction Brief and the confidential supporting documents thereto be filed under seal.

12  
13 DATED: February 18, 2010

MCDONNELL BOEHNEN  
HULBERT & BERGHOFF LLP

14  
15 By /s/  
16 Joshua R. Rich  
17 Attorneys for Plaintiff  
Sanofi-Aventis Deutschland GmbH

18 DATED: February 18, 2010

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

19  
20 By /s/  
21 Victoria F. Maroulis  
22 Attorneys for Defendant Genentech, Inc.

23 DATED: February 18, 2010

FOLEY HOAG LLP

24  
25 By /s/  
26 Marco Quina  
27 Attorneys for Defendant  
Biogen Idec Inc.

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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 Joshua R. Rich and counsel for Defendants have concurred in this filing.

DATED: February 19, 2010 HARVEY SISKIND LLP

By /s/  
Raffi V. Zerounian  
Attorneys for Plaintiff  
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 the parties leave to file under seal Sanofi’s Reply in Support of Its Motion for Leave to Amend Its Pleadings and Infringement Contentions and confidential supporting documents thereto.

**IT IS SO ORDERED.**



Dated:

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The Honorable Susan Illston  
UNITED STATES DISTRICT JUDGE