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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 NOS. 08-cv-4909-SI (BZ),
09-cv-4919-SI

STIPULATION AND [PROPOSED] ORDER
ENLARGING BRIEFING SCHEDULE FOR
DEFENDANTS' REPLIES IN SUPPORT OF
MOTIONS FOR SUMMARY JUDGMENT

[Civil L.R. 6-1, 6-2]

Honorable Susan Illston
United States District Judge

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Attorneys for Plaintiff Sanofi-Aventis
Deutschland GmbH

1 Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiff Sanofi-Aventis Deutschland GmbH
2 ("Sanofi") and Defendants Genentech, Inc. ("Genentech") and Biogen Idec Inc. ("Biogen")
3 respectfully request that the Court enter the following stipulation regarding the briefing schedule for
4 Defendants' Replies in support of their Motions for Summary Judgment. The parties now AGREE
5 AND STIPULATE to extend the deadline for Defendants to file their Replies from September 23,
6 2010 to September 30, 2010.

7 1. Reason for the Request

8 In its Order Granting Sanofi's Motion To Adjourn Hearing for Defendants' Motions for
9 Summary Judgment Under Local Rule 6-3, the Court reset the hearing of Defendants' Motions for
10 Summary Judgment for October 26, 2010. (D.N. 428.) Defendants had initially noticed the hearing
11 for the Motions for September 17, 2010. The Court directed Sanofi to file its Oppositions to the
12 Motions by September 16, 2010 and directed Defendants to file their Replies in Support of the
13 Motions by September 23, 2010.

14 Defendants' Replies are due two days after the close of fact discovery, a critical juncture in
15 this case. Defendants' responses to Sanofi's latest requests for production and interrogatories are
16 due on September 20, and Defendants have noticed depositions of third party fact witnesses for
17 September 20 and 21. Defendants therefore request a one-week extension to provide them adequate
18 time in which to respond to Sanofi's Oppositions to the Motions for Summary Judgment.
19 Defendants do not request any change in the hearing date. The requested extension would leave 25
20 days between the submission of Defendants' replies in support of their motions for summary
21 judgment and the hearing.

22 2. Prior Time Modifications

23 The time for Sanofi to answer or otherwise respond to the Complaint was previously
24 extended. The briefing and hearing schedule for Motions to Dismiss for Lack of Jurisdiction
25 brought by Sanofi and its former co-defendants was temporarily vacated. The briefing and hearing
26 schedule for Genentech's Motion To Disqualify McDonnell Boehnen Hulbert and Berghoff LLP was
27 extended by four weeks. The briefing and hearing schedule for Sanofi's Motion for Leave to
28 Amend Its Pleadings and Infringement Contentions was previously extended by five weeks and then

1 extended again by seven weeks. The Markman hearing and tutorial were previously continued by
2 45 days. The briefing and hearing schedule for Defendants' Motions for Summary Judgment was
3 previously extended, as described above.

4 3. Effect of Requested Modification

5 The requested modification will have no effect on the rest of the schedule in this action.

6 So Stipulated.

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DATED: September 16, 2010

HARVEY SISKIND LLP
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By /s/William E. Solander
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Attorneys for Plaintiff Sanofi-Aventis
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DATED: September 16, 2010

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DATED: September 16, 2010

TOWNSEND TOWNSEND AND CREW LLP
FOLEY HOAG LLP

By /s/Claire Laporte
Claire Laporte
Attorneys for Defendant Biogen Idec Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September __, 2010



Susan Illston
United States District Court Judge

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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 Plaintiff has concurred in this filing.

DATED: September 16, 2010

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/Victoria F. Maroulis
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