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Attorneys for Plaintiff
 BIOGEN IDEC INC.

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

GENENTECH, INC., and BIOGEN IDEC
 INC.,

Plaintiffs,

v.

SANOFI-AVENTIS DEUTSCHLAND
 GMBH, SANOFI-AVENTIS U.S. LLC, and
 SANOFI-AVENTIS U.S. INC.,

Defendants.

Case No. CV08-4909 SI (BZ)

**REQUEST TO ATTEND HEARING BY
 TELEPHONE AND ~~[PROPOSED]~~
 ORDER THEREON**

Date: March 4, 2009
 Time: 10:00 a.m.
 Judge: Magistrate Judge
 Bernard Zimmerman
 Dept: G, 15th Floor

1 A hearing to consider the next stage of discovery in the above-referenced case is scheduled
2 for March 4, 2009 at 10:00 a.m. Plaintiff BIOGEN IDEC INC. ("BIOGEN IDEC") respectfully
3 requests permission for Jeremy A. Younkin of Foley Hoag LLP, located in Boston, Massachusetts,
4 to participate in this hearing by telephone.

5 BIOGEN IDEC will also be represented in person at the hearing by its local counsel, James
6 G. Gilliland, Jr., of Townsend and Townsend and Crew LLP, whose direct telephone number is
7 (415) 273-7560. Counsel for BIOGEN IDEC will make arrangements with the Court's
8 teleconference services for the telephonic appearance.

9
10 DATED: February 27, 2009

TOWNSEND AND TOWNSEND AND CREW LLP

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12 By: /s/ Anne M. Rogaski

JAMES G. GILLILAND, JR.

13 ANNE M. ROGASKI

14 DAVID J. TSAI

JAMES D. TARIO

15 Attorneys for Plaintiff
16 BIOGEN IDEC INC.

17
18 **~~PROPOSED~~ ORDER**

19 Good cause appearing therefor, IT IS HEREBY ORDERED that BIOGEN IDEC INC.'s
20 counsel may appear at the discovery hearing scheduled for March 4, 2009 at 10:00 a.m. by
21 telephone. **He may listen but not participate. The Court does not ordinarily permit**
22 **telephone appearances on the motion calendar.**

23
24 Date: March 2, 2009


25 Magistrate Judge Bernard Zimmerman
26 United States District Court

27 61828082 v1
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