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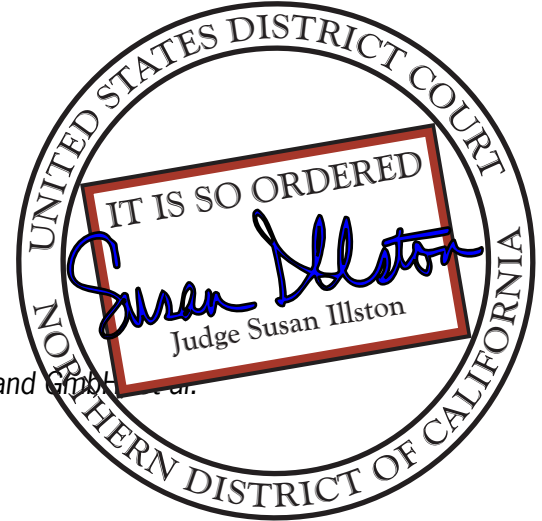
Urgency relief denied.

Any motion for stay will be handled in ordinary course, by motion.

March 19, 2009

BY ELECTRONIC FILING

The Honorable Susan Illston  
U.S. District Court for the Northern District of California  
450 Golden Gate Avenue  
Courtroom 10, 19th Floor  
San Francisco, California 94102



Re: *Genentech, Inc. et al. v. Sanofi-Aventis Deutschland GmbH et al.*  
Civil Action No. C 08-04909 SI  
Letter regarding Case Management Issues

Your Honor:

Defendants Sanofi-Aventis Deutschland GmbH (“Sanofi-Aventis Germany”), Sanofi-Aventis U.S. LLC, and Sanofi-Aventis U.S. Inc. write in an attempt to preserve the Court’s and parties’ resources in light of a decision earlier today by the U.S. District Court for the Eastern District of Texas in a related case, *Sanofi-Aventis Deutschland GmbH v. Genentech, Inc. et al.*, Civil Action No. 9:08-cv-203 (E.D. Tex.). A copy of that court’s Order denying “Genentech, Inc.’s and Biogen Idec Inc.’s Motion to Transfer Venue to the Northern District of California” is attached hereto. Under these circumstances, the Court earlier indicated that it “will address case management issues, including coordination of discovery, with the parties.” D.I. 72, p. 2. We request a brief stay of the original discovery schedule to permit the Court to address how the denial of Genentech’s and Biogen Idec’s motion to transfer affects case management in this proceeding.

The most immediate case management issues relate to jurisdictional discovery regarding the Court’s jurisdiction over the person of Sanofi-Aventis Germany. There are several impending events that may cause unnecessary use of Court resources and substantial expense to the parties, including two disputes pending before Magistrate Judge

Zimmerman (D.I. 90, 91, 92) and two potential depositions in Europe.<sup>1</sup> Because there are no jurisdictional issues in the Texas case, those disputes and those depositions will be moot if this Court dismisses the claims against Sanofi-Aventis Germany or transfers them to the Texas court. Sanofi-Aventis Germany's counsel is scheduled to fly to Germany in relation to those depositions on Sunday, a trip that will not be needed if personal jurisdiction discovery is stayed. As a result, both this Court and the parties will preserve valuable resources through the imposition of a stay.

Given the urgency of these issues, the parties have not had a chance to meet and confer. However, Defendants would welcome an opportunity to discuss how best to handle less acute issues with Plaintiffs before any further conference with the Court.

Respectfully submitted,

*/s/ Joshua R. Rich*  
Joshua R. Rich

cc: All counsel of record (by ECF)  
Magistrate Judge Bernard Zimmerman

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<sup>1</sup> The exact location and logistics of one of the depositions, to be taken under Rule 30(b)(6), is the subject of one of the disputes.