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10 Attorneys for Petitioner  
11 INTEGRATED GENOMICS, INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15  
16 In re INTEGRATED GENOMICS, INC.,  
17 a Delaware Corporation,

18 Petitioner,

CASE NO. CV 08 80177 MISC WHA

(Pending Related Case: Integrated Genomics, Inc., a Delaware Corporation v. Nikos Kyrpides, No. 06-C-6706, Northern District of Illinois)

19 NOTICE OF WITHDRAWAL OF  
20 INTEGRATED GENOMICS, INC.'S  
21 PETITION TO ENFORCE SUBPOENA AND  
[PROPOSED] ORDER

22 Hearing Date: November 26, 2008  
23 Hearing Time: 3:00 p.m.  
24 Courtroom 9, 19<sup>th</sup> Floor  
Honorable William H. Alsup

25 Petitioner INTEGRATED GENOMICS, INC. ("IG") hereby withdraws its Petition to  
26 Enforce Subpoena against the Regents of the University of California, operators of the JOINT  
27 GENOME INSTITUTE (the "JGI"), currently set for hearing on November 26, 2008 at 3:00 p.m.

28 NOTICE OF WITHDRAWAL OF MOTION  
AND [PROPOSED] ORDER  
CASE NO. CV 08 80177 MISC WHA

1 In the parties' November 7, 2008 Joint Status Report and at the hearing in this matter held  
2 on October 29, 2008, the parties represented to the Court that the hearing would be taken off of  
3 the Court's calendar if they were able to resolve the outstanding issues with the subpoena and the  
4 related production of documents.

5 We believe that the parties have reached an agreement to accomplish the production of  
6 documents responsive to the subpoena. Accordingly, IG no longer needs the Court's intervention  
7 to enforce its subpoena.

8 IG, therefore, hereby withdraws its Petition to Enforce Subpoena and respectfully asks the  
9 Court to take the November 26, 2008 hearing in this matter off of the Court's calendar.

10 Dated: November 25, 2008

TINGLEY PIONTKOWSKI LLP

11  
12 By: /s/ Jonathan A. McMahon  
13 JONATHAN A. MCMAHON  
14 BRUCE C. PIONTKOWSKI  
15 Attorneys for Petitioner  
16 INTEGRATED GENOMICS, INC.

17 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
18 "conformed" signature (/s/) within this e-filed document.

19 Dated: November 25, 2008

TINGLEY PIONTKOWSKI LLP

20  
21 By: /s/ Jonathan A. McMahon  
22 JONATHAN A. MCMAHON  
23 BRUCE C. PIONTKOWSKI  
24 Attorneys for Petitioner  
25 INTEGRATED GENOMICS, INC.

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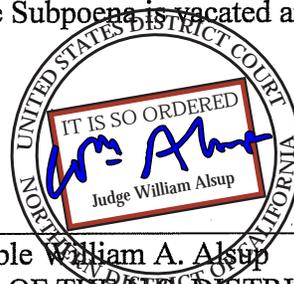
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**[PROPOSED] ORDER**

GOOD CAUSE APPEARING, it is hereby ordered that the November 26, 2008 hearing on Petitioner Integrated Genomics, Inc.'s Petition to Enforce Subpoena is vacated and Petitioner's Petition to Enforce Subpoena is withdrawn.

IT IS SO ORDERED.

Dated: November 25, 2008



Honorable William A. Alsup  
JUDGE OF THE U.S. DISTRICT COURT