

1 COOLEY LLP
 Stephen C. Neal (170085)
 2 (nealsc@cooley.com)
 Michelle S. Rhyu, PH.D. (212922)
 3 (rhyums@cooley.com)
 Bryan J. Boyle (253725)
 4 (bryan.boyle@cooley.com)
 Daniel J. Knauss (267414)
 5 (dknauss@cooley.com)
 Five Palo Alto Square
 6 3000 El Camino Real
 Palo Alto, CA 94306-2155
 7 Telephone: (650) 843-5000
 Facsimile: (650) 857-0663

8 COOLEY LLP
 9 Martin S. Schenker (109828)
 (mschenker@cooley.com)
 10 Benjamin H. Kleine (257225)
 (bkleine@cooley.com)
 11 101 California Street, 5th Floor
 San Francisco, CA 94111-5800
 12 Telephone: (415) 693-2000
 Facsimile: (415) 693-2222
 13
 14 Attorneys for Plaintiff
 ONYX PHARMACEUTICALS, INC.

MORRISON & FOERSTER LLP
 Alison M. Tucher (171363)
 (atucher@mofo.com)
 Amy C. Dachtler (248589)
 (adachtler@mofo.com)
 425 Market Street
 San Francisco, CA 94105-2482
 Tel: (415) 268-7000
 Fax: (415) 268 7522

BARTLIT BECK HERMAN PALENCHAR
 & SCOTT LLP
 Philip S. Beck(admitted pro hac vice)
 (philip.beck@bartlit-beck.com)
 Mark Levine (admitted pro hac vice)
 (mark.levine@bartlit-beck.com)
 Jason L. Peltz (admitted pro hac vice)
 (jason.peltz@bartlit-beck.com)
 James B. Heaton, III (admitted pro hac vice)
 (jb.heaton@bartlit-beck.com)
 Brian C. Swanson (admitted pro hac vice)
 (brian.swanson@bartlit-beck.com)
 J. Scott McBride (admitted pro hac vice)
 (scott.mcbride@bartlit-beck.com)
 54 West Hubbard Street, Suite 300
 Chicago, IL 60654
 Tel: (312) 494-4400
 Fax: (312) 494-4440

Attorneys for Defendants BAYER
 CORPORATION; BAYER HEALTHCARE
 LLC; BAYER AG; BAYER SCHERING
 PHARMA AG

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN FRANCISCO DIVISION

21 ONYX PHARMACEUTICALS, INC.,

22 Plaintiff,

23 v.

24 BAYER CORPORATION, BAYER AG,
 25 BAYER HEALTHCARE LLC, AND
 BAYER SCHERING PHARMA AG,

26 Defendants.

Case No. C 09-2145 (EMC)

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

Case Mgt. Conf: June 22, 2011, 1:30 p.m.
 Hon. Edward M. Chen
 Courtroom 5

1 **WHEREAS**, on June 17, 2011, the Court issued an order setting a Case Management
2 Conference for June 22, 2011 at 1:30 p.m.

3 **WHEREAS**, lead counsel for defendants are unavailable due to scheduling conflicts on
4 June 22, 2011;

5 **WHEREAS** , counsel for both parties are available on the morning of June 24, 2011 for a
6 Case Management Conference, and respectfully request that the Court reschedule the conference
7 for that date;

8 **WHEREAS** , the Court’s Courtroom Deputy has confirmed the Court’s availability for the
9 Case Management Conference on June 24, 2011 at 10:30 a.m. and has asked the parties to submit
10 a stipulation continuing the date of the conference;

11 **NOW THEREFORE**, the parties hereby stipulate and agree, by and through counsel, to the
12 entry of an order as follows:

13 1. The Case Management Conference, currently scheduled for June 22, 2011, is
14 hereby rescheduled for June 24, 2011 at 10:30 a.m.

15 Dated: June 20, 2011

Dated: June 20, 2011

16 COOLEY LLP

MORRISON & FOERSTER LLP

19 /s/ Martin S. Schenker
20 Martin S. Schenker

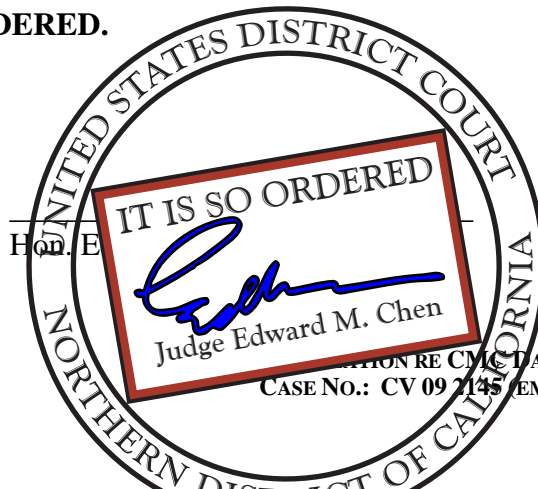
/s/ Alison M. Tucher
Alison M. Tucher

21 Attorneys for Plaintiff
22 ONYX PHARMACEUTICALS, INC.

Attorneys for Defendants
BAYER CORPORATION; BAYER
HEALTHCARE LLC; BAYER AG; BAYER
SCHERING PHARMA AG

23
24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25
26 Dated: June 24, 2011



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1.

APPROVED BY: _____ DATE: _____
CASE No.: CV 09 2145 (EMC)

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Martin S. Schenker, attest that concurrence in the filing of this Joint Pretrial Conference Statement has been obtained from each of the other signatories. Executed this 20th day of June, 2011, at San Francisco, California.

/s/ Martin S. Schenker
Martin S. Schenker