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 10 ONYX PHARMACEUTICALS, INC.

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

14  
 15 ONYX PHARMACEUTICALS, INC.,

16 Plaintiff,

17 v.

18 BAYER CORPORATION, BAYER AG,  
 19 BAYER HEALTHCARE LLC, AND  
 BAYER SCHERING PHARMA AG,

20 Defendants.

Case No. C 09-2145 (MHP)

**STIPULATION AND ~~PROPOSED~~ ORDER  
 RESCHEDULING STATUS CONFERENCE**

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1           **WHEREAS**, a further Status Conference in this matter is currently scheduled for May 17,  
2 2010, and a Status Conference Statement is currently due May 10, 2010;

3           **WHEREAS**, the parties will participate in a private mediation on May 13, 2010;

4           **WHEREAS**, the outcome of the mediation process will be unknown on May 10 and may  
5 remain uncertain immediately following the session on May 13;

6           **WHEREAS** , the parties believe it would therefore be advisable to extend the period  
7 between the mediation and the Status Conference to more than four days;

8           **WHEREAS**, document production in this matter has taken more time than previously  
9 contemplated and the parties believe they will be in a better position to address case management  
10 in June;

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

13           1.       The post-mediation Status Conference, currently scheduled for May 17, 2010, is  
14 hereby rescheduled to ~~June 14,~~ **July 19,** 2010 at 3:00 p.m., or at the Court's first convenient time  
15 thereafter.

16           2.       A Status Conference Statement will be due one week prior to the Status  
17 Conference.

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Dated: April 28, 2010

COOLEY GODWARD KRONISH LLP

/s/ Martin S. Schenker

Martin S. Schenker  
Attorneys for Plaintiff  
ONYX PHARMACEUTICALS, INC.

Dated: April 28, 2010

BARTLIT BECK HERMAN PALENCHAR &  
SCOTT LLP

/s/ Jason Peltz

Jason Peltz  
Attorneys for Defendants  
BAYER CORPORATION, BAYER AG,  
BAYER HEALTHCARE LLC, AND BAYER  
SCHERING PHARMA AG

**PURSUANT TO STIPULATION, IT IS SO ORDERED**

Dated: April 29, 2010



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**GENERAL ORDER 45 ATTESTATION**

In accordance with General Order 45, concurrence in the filing of this document has been obtained from each of the signatories and I shall maintain records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request by a party.

Dated: April 28, 2010

COOLEY GODWARD KRONISH LLP

/s/ Martin S. Schenker  
Martin S. Schenker  
Attorneys for Plaintiff  
ONYX PHARMACEUTICALS, INC.

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