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9 Attorneys for Plaintiff
 10 ONYX PHARMACEUTICALS, INC.

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

14 ONYX PHARMACEUTICALS, INC.,
 15 Plaintiff,
 16 v.
 17 BAYER CORPORATION, et al.,
 18 Defendants.
 19

Case No. CV 09 2145 MHP

**STIPULATION AND [PROPOSED]
 ORDER REVISING PRETRIAL
 SCHEDULE RE SUMMARY
 JUDGMENT MOTIONS**

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1 IT IS HEREBY STIPULATED by and between plaintiff Onyx Pharmaceuticals, Inc.
2 (“Onyx”) and defendants Bayer Corporation, Bayer AG, Bayer HealthCare LLC and Bayer
3 Schering Pharma AG (collectively, “Bayer”) as follows:

4 1. WHEREAS, on November 16, 2010, the Court entered a Supplemental Case
5 Management Order (Dkt. No. 60) that revised the case schedule and set June 14, 2011 as the trial
6 date;

7 2. WHEREAS, the Supplemental Case Management Order (Dkt. No. 60) set the
8 deadline to file motions on merits for March 14, 2011 and the deadline to hear motions on merits
9 for April 18, 2011;

10 3. WHEREAS, Onyx’s counsel has a conflict with the current deadline to hear
11 motions on merits, and the parties have conferred and agreed to the new proposed deadlines
12 below relating to the summary judgment motion schedule;

13 4. WHEREAS, the new proposed deadlines comply with the Northern District of
14 California Local Rule 7;

15 THEREFORE, the parties stipulate and jointly move the Court to adopt the following
16 revised schedule pertaining to motions on the merits:

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18 Event	Current Schedule	Revised Schedule
19 Deadline to file motions on merits	3/14/11	3/15/11
20 Deadline for responsive briefs on merits	3/28/11	3/30/11
21 Deadline for reply briefs on merits	4/04/11	4/07/11
22 Deadline to hear motions on merits	4/18/11	4/25/11

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IT IS SO STIPULATED.

Dated: February 1, 2011

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By: /s/ Lawrence R. Katzin
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Attorneys for Defendants
BAYER CORPORATION,
BAYER AG,
BAYER HEALTHCARE LLC, and
BAYER SCHERING PHARMA AG

Dated: February 1, 2011

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By: /s/ Michelle S. Rhyu
MICHELLE S. RHYU
Attorneys for Plaintiff
ONYX PHARMACEUTICALS, INC.

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SUPPLEMENTAL CASE MANAGEMENT ORDER

This Stipulation and ~~Proposed~~ Order Revising Pretrial Schedule is hereby adopted by the Court as the Case Management Order for the case.

IT IS SO ORDERED

Dated: 2/2/2011



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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.

/s/ Daniel J. Knauss
DANIEL J. KNAUSS

Attorney for Plaintiff
ONYX PHARMACEUTICALS, INC.