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 CONCEPTUS, INC.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19

20 CONCEPTUS, INC.,
 21 Plaintiff,
 22 v.
 23 HOLOGIC, INC.,
 24 Defendant.

Case No. 09-cv-02280-WHA (JCS)

**STIPULATION AND [~~PROPOSED~~]
 ORDER RESCHEDULING
 SETTLEMENT CONFERENCE**

Complaint Filed: 5/22/09
 Trial Date: None Set
 The Honorable William H. Alsup

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Plaintiff Conceptus Inc. (“Conceptus”) and Defendant Hologic, Inc. (“Hologic”) hereby stipulate that the settlement conference in this action shall be rescheduled for **March 18, 2010**, subject to Magistrate Judge Joseph Spero’s approval. The parties further stipulate that settlement conference statements shall be due on **March 4, 2010**, again, subject to Judge Spero’s approval.

In consideration of the above stipulation and the Court’s Notice of Settlement Conference dated August 31, 2009, the parties further stipulate that Plaintiff shall make a settlement proposal, in writing, by **February 11, 2010**, with a copy to Judge Spero. Defendant shall respond and make a counter-proposal, in writing, by **February 18, 2010**, with a copy to Judge Spero. The principals of all parties, with unlimited authority to settle the case, shall meet and confer *in person* on or before **February 25, 2010**, to discuss settlement.

Dated: January 22, 2010

ORRICK, HERRINGTON & SUTCLIFFE

By: /s/ M. Patricia Thayer

M. Patricia Thayer
Attorneys for Plaintiff
Conceptus, Inc.

Dated: January 22, 2010

HOWREY LLP

By: /s/ Matthew M. Wolf

Matthew M. Wolf
Attorneys for Defendant
Hologic, Inc.

IT IS SO ORDERED.

Dated: January 26, 2010

