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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CONCEPTUS, INC.,

No. C 09-02280 WHA

Plaintiff,

v.

HOLOGIC, INC.,

Defendant.

**NOTICE  
CONTINUING  
TRIAL DATE  
AND SETTING  
CASE MANAGEMENT  
CONFERENCE**

In accordance with the parties' stipulated request, both the trial date set for February 11, 2011 and the final pretrial conference set for February 7, 2011 are **VACATED**. New dates for the trial and final pretrial conference will be set at the conclusion of the pending term of the United States Supreme Court.

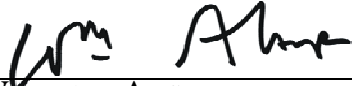
A case management conference will be held at **11:00 A.M. ON JUNE 30, 2011** to set these new dates. At the conference, counsel should be aware that a trial date in July or August is possible but may be problematic due to an impending trial in a lengthy gang prosecution that is likely to extend into the summer. If both patent cases are decided by the Supreme Court before June, then the parties may request a sooner conference.

All discovery and expert disclosure deadlines have passed, and this order does not re-open them in any way. The Court, however, inquires whether the parties wish to stipulate to making use of the trial postponement to tidy up any discovery or expert disclosure problems that may remain. If both sides can agree on such a limited program, then it will be allowed. If no agreement can be

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reached, please live with the existing record. The parties will please submit any such stipulation by  
**NOON ON JANUARY 10, 2011.**

Dated: December 22, 2010.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE