

United States District Court  
For the Northern District of California

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

CONCEPTUS, INC.,  
Plaintiff,

No. C 09-02280 WHA

v.


HOLOGIC, INC.,  
Defendant.

**ORDER REGARDING  
MOTION FOR LEAVE  
TO FILE MOTION FOR  
SUMMARY JUDGMENT**

On August 2, 2011, defendant filed a motion for leave to file a second motion for summary judgment. The proposed motion would be based on a recent Supreme Court decision and would be limited to the issue of indirect patent infringement (Dkt. No. 374). Defendant noticed its motion for leave to be heard on the normal 35-day track. Instead, however, it will be treated as an administrative motion. Pursuant to Civil Local Rule 7-11, plaintiff may file an opposition by **AUGUST 8, 2011**. The motion then will be decided without a hearing. The hearing noticed for September 8, 2011, is **VACATED**.

**IT IS SO ORDERED.**

Dated: August 2, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE