

**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

CONCEPTS, INC.,

Plaintiff,

No. C 09-02280 WHA

v.

HOLOGIC, INC.,

Defendant.

**NOTICE OF POSSIBLE  
SUBSTITUTION FOR  
PARAGRAPHS 41 AND 42**

Appended hereto please find possible substitute paragraphs 41 and 42 which have been drawn from the recent submissions. Counsel will please comment on the proposed revisions in their supplements due tonight (explaining whether the substitutes are incorrect statements of the law and why). The possible substitutes will be considered at the charging conference.

Dated: October 11, 2011

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE