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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALZHEIMER'S INSTITUTE OF AMERICA,
INC.,

Plaintiff,

v.

ELAN PHARMACEUTICALS, INC., *et al.*,

Defendants.

CASE NO. CV 10-0482 CRB

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE ONE
WEEK; SUPPORTING
DECLARATION; [REDACTED]
ORDER**

1 On October 22, 2010, the Court continued the Initial Case Management Conference to
2 November 5, 2010. As the Court directed, the parties have been considering and discussing in good
3 faith whether they can agree to consent to assignment of this patent case to an agreed upon
4 magistrate judge for all purposes. It appears unlikely, however, that the parties' discussions will be
5 concluded by November 5. For this reason, and in the interest of avoiding the expense of travel and
6 a court appearance before the parties' discussions have concluded, the parties respectfully request
7 and stipulate, with the Court's permission, that the Case Management Conference scheduled for
8 November 5 be continued one week to November 12, 2010.

9 Dated: November 3, 2010

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.**

11
12 By: /s/ Robert McCauley
13 Robert F. McCauley
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23 Dated: November 3, 2010

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Dated: November 3, 2010

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1 **SUPPORTING DECLARATION OF ROBERT F. McCaULEY**

2 I, Robert F. McCauley, declare:

3 1. That I am admitted to practice before this Court, and am counsel of record for
4 Defendant Eli Lilly and Company in the above action.

5 2. The statements set forth in the above stipulation have been agreed upon by counsel
6 for the parties and are true to the best of my knowledge and belief.

7 3. The Court previously continued the Initial Case Management Conference from
8 October 22, 2010, to November 5, 2010. Because the Court has not entered a schedule for this case,
9 continuing the Case Management Conference to November 12, 2010 will not affect any other
10 scheduled date in the case.

11 I declare under penalty of perjury under the laws of the United states that the foregoing is
12 true and correct.

13 Dated: November 3, 2010

/s/ Robert McCauley
Robert F. McCauley

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16 **~~PROPOSED~~ ORDER**

17 PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS HEREBY
18 ORDERED THAT the Case Management Conference currently set for November 5, 2010 is
19 continued to November ¹⁹~~5~~, 2010, at 8:30 a.m.

20
21 Dated: November 3, 2010

22 Charles R. Breyer
United States District Judge

