

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ARIA DIAGNOSTICS, INC.,
Plaintiff/Counterdefendant,
v.
SEQUENOM, INC.,
Defendant/Counterclaimant.

No. C 11-06391 SI
**SCHEDULING ORDER RE: MOTION FOR
PRELIMINARY INJUNCTION**

On March 8, 2012, counterclaimant Sequenom, Inc. (“Sequenom”) filed a motion for a preliminary injunction. Docket No. 34. The Court denied Sequenom’s motion for a preliminary injunction on July 5, 2012. Docket No. 121. On August 9, 2013, the Federal Circuit vacated the Court’s order denying the preliminary injunction and remanded the case for further proceedings. Docket No. 217. The parties have submitted competing proposed schedules for further proceedings on Sequenom’s motion for a preliminary injunction. Docket Nos. 225-26, 233-34. Although the parties disagree about the overall schedule, the parties agree that Sequenom’s opening brief should be filed by November 8, 2013. Docket Nos. 233-34. Accordingly, after reviewing the parties’ proposed schedules, the Court issues the following scheduling order:

1. Sequenom’s opening supplemental brief in support of its motion for a preliminary injunction must be filed by **November 8, 2013**.
2. Depositions of Sequenom’s fact and expert witnesses relied on by Sequenom in its opening supplemental brief must be completed by **November 22, 2013**.
3. Ariosa’s opposition must be filed by **December 6, 2013**.
4. Depositions of Ariosa’s fact and expert witnesses relied on by Ariosa in its opposition must be completed by **December 20, 2013**.


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. Sequenom's reply must be filed by **January 8, 2013**.
6. The Court will hold a hearing on Sequenom's motion for a preliminary injunction on **Friday, January 17, 2013 at 9:00 a.m.**

This order resolves Docket No. 225.

IT IS SO ORDERED.

Dated: September 23, 2013



SUSAN ILLSTON
United States District Judge