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TAKEDA PHARMACEUTICAL CO., LTD.,
TAKEDA PHARMACEUTICALS U.S.A.,
INC., TAKEDA PHARMACEUTICALS LLC,
AND TAKEDA PHARMACEUTICALS
AMERICA, INC.

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Attorneys for Defendant

SANDOZ INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

TAKEDA PHARMACEUTICALS, CO., LTD.,)
TAKEDA PHARMACEUTICALS U.S.A, INC.,)
TAKEDA PHARMACEUTICALS LLC, and)
TAKEDA PHARMACEUTICALS)
AMERICA, INC.,)
Plaintiffs,)
v.)
SANDOZ, INC.,)
Defendant.)

Case No. 3:12-cv-0446 JCS
STIPULATION AND [PROPOSED]
ORDER TO AMEND THE FURTHER
CASE MANAGEMENT AND PRETRIAL
ORDER
The Honorable Joseph C. Spero
Complaint Filed: January 26, 2012
[REDACTED]

1 Pursuant to this Court’s Civil Standing Orders and Civil Local Rules 6-1, 6-2, 7-12, and 16-
2 10(c), Plaintiffs Takeda Pharmaceutical Company Limited, Takeda Pharmaceuticals U.S.A., Inc.,
3 Takeda Pharmaceuticals LLC, and Takeda Pharmaceuticals America, Inc., (collectively, “Takeda”),
4 and Defendant Sandoz Inc. (“Sandoz”) (collectively, the “Parties”) stipulate and agree as follows:

5 WHEREAS, on June 1, 2012, the Court held the initial case management conference in this
6 case;

7 WHEREAS, on June 6, 2012 the Court entered its Case Management and Pretrial Order
8 [Docket No. 50] (“June 2012 Order”);

9 WHEREAS, on September 7, 2012, the Court held a further case management conference;

10 WHEREAS, on September 11, 2012 the Court modified the June 2012 Order in its Further
11 Case Management and Pretrial Order [Docket No. 55] (“September 2012 Order”);

12 WHEREAS, on December 14, 2012, the Court held a further case management conference;

13 WHEREAS, on December 19, 2012 the Court modified the September 2012 Order in its
14 Further Case Management and Pretrial Order [Docket No. 63] (“December 2012 Order”);

15 WHEREAS, on April 9, 2013, the Court modified the December 2012 Order in its Further
16 Case Management and Pretrial Order [Docket No. 76] (“April 2013 Order”);

17 WHEREAS, on June 19, 2013, the Court granted Plaintiffs’ motion to amend their
18 infringement contentions to assert infringement under the doctrine of equivalents [Docket No. 92];

19 WHEREAS, the Parties, in light of Plaintiffs’ Amended Infringement Contentions, have
20 conferred and agreed upon related adjustments to the Schedule set forth in the April 2013 Order;

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED];

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1 THEREFORE, the undersigned Parties submit this stipulated request and respectfully request
2 the Court amend April 2013 Order as follows:

| Event | Current Date | Proposed Change |
|--|--|--|
| Fact Discovery Cut-Off | Friday, 07/19/13 | Friday, 10/11/2013 |
| Initial Expert Reports on Issues where party Bears Burden of Proof. Takeda will provide any report on secondary considerations at this time. | Friday, 08/30/13 | Friday, 11/22/2013 |
| Rebuttal Expert Reports | Friday, 09/27/13 | Friday, 12/20/2013 |
| Expert Discovery Cut-Off | Friday, 10/25/13 | Friday, 1/17/2014 |
| Last Day to File Dispositive Motions | Friday, 11/15/13 | Friday, 2/7/2014 |
| Oppositions Due for Dispositive Motions | Friday, 12/06/13 | Friday, 2/28/2014 |
| Replies Due for Dispositive Motions Filed | Friday, 12/20/13 | Friday, 3/14/2014 |
| Motions Hearing | Friday, 02/28/14 9:30 a.m. | To be set at a future case management conference |
| Pretrial Conference | To be set at a future case management conference | (no change) |
| Trial | To be set at a future case management conference | (no change) |

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16 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

17 Respectfully submitted,

18 Dated: July 2, 2013

MUNGER, TOLLES & OLSON LLP

19 By: /s/ Ryan N. Hagglund
Attorneys for Plaintiffs
TAKEDA PHARMACEUTICAL CO., LTD.,
TAKEDA PHARMACEUTICALS U.S.A., INC.,
TAKEDA PHARMACEUTICALS LLC, AND
TAKEDA PHARMACEUTICALS AMERICA,
INC.

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21
22
23 Dated: July 2, 2013

WINSTON & STRAWN LLP

24 By: /s/ K. Joon Oh
Maureen Rurka (admitted *pro hac vice*)
Julia Mano Johnson (admitted *pro hac vice*)
Jeffrey J. Lederman
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27 Attorneys for Defendant Sandoz, Inc.

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FILER'S ATTESTATION

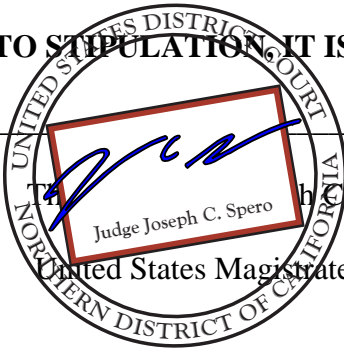
I, K. Joon Oh, am the ECF user whose identification and password are being used to file this **STIPULATION AND [PROPOSED] ORDER**. In accordance with Local Rule 5-1(i)(3), I hereby attest that the above-named signatories concur in this filing.

DATED: July 2, 2013

By: /s/ K. Joon Oh

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/9/13

 Judge Joseph C. Spero
United States Magistrate Judge

SF:357492.1