

1 COOLEY LLP
 MARK F. LAMBERT (197410)
 2 (mlambert@cooley.com)
 Five Palo Alto Square
 3 3000 El Camino Real
 Palo Alto, CA 94306-2155
 4 Telephone: (650) 843-5000
 Facsimile: (650) 849-7400
 5

6 FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP
 Stephen S. Rabinowitz
 7 (srabinowitz@friedfrank.com)
 One New York Plaza
 8 New York, New York 10004
 Telephone: (212) 859-8000
 9 Facsimile: (212) 859-4000

10 Attorneys for Defendant
 ROCHE MOLECULAR SYSTEMS, INC.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION
 15

16 CEPHEID,
 17 Plaintiff,
 18 v.
 19 ROCHE MOLECULAR SYSTEMS, INC.
 and F. HOFFMANN-LA ROCHE LTD.,
 20 Defendants.
 21

Case No. CV12-04411 (EMC)

**STIPULATION AND [PROPOSED]
 ORDER RE: EXTENSION OF
 DEADLINE FOR DEFENDANT
 ROCHE MOLECULAR SYSTEMS,
 INC. TO ANSWER OR OTHERWISE
 RESPOND TO FIRST AMENDED
 COMPLAINT [FRCP 15(a); C.L.R. 6-
 1(a)]**

22
 23 Pursuant to Civil Local Rule 6-1 and Rule 15(a)(3) of the Federal Rules of Civil
 24 Procedure (FRCP), this Stipulation and [Proposed] Order is entered into by and between Plaintiff
 25 Cepheid and Defendant Roche Molecular Systems, Inc. (“Roche Molecular”) by and through
 26 their respective counsel.

27 WHEREAS Cepheid filed its initial Complaint for Declaratory Judgment (“Complaint”)
 28 on August 21, 2012;

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

NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

The deadline for Roche Molecular to answer or otherwise respond to the Amended Complaint is extended to and including November 2, 2012.

IT IS SO STIPULATED.

Dated: September 21, 2012

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

/s/ Erik R. Puknys
Erik R. Puknys (SBN 190926)
Attorneys for Plaintiff
CEPHEID

Dated: September 21, 2012

COOLEY LLP

/s/ Mark F. Lambert
Mark F. Lambert (SBN 197410)
Attorneys for Defendant
ROCHE MOLECULAR SYSTEMS, INC.

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

[PROPOSED] ORDER

Pursuant to the stipulation of the parties and good cause appearing therefore;

IT IS SO ORDERED.

Dated: September 24, 2012

