

1 EDWARD R. REINES (Bar No.135960)
 edward.reines@weil.com
 2 DEREK C. WALTER (Bar No. 246322)
 derek.walter@weil.com
 3 MICHELE A. GAUGER (Bar No. 281769)
 michele.gauger@weil.com
 4 ANANT N. PRADHAN (Bar No. 287227)
 anant.pradhan@weil.com
 5 WEIL, GOTSHAL & MANGES LLP
 Silicon Valley Office
 6 201 Redwood Shores Parkway
 Redwood Shores, CA 94065
 7 Telephone: (650) 802-3000
 Facsimile: (650) 802-3100

DAVID I. GINDLER (Bar No. 117824)
 (dgindler@irell.com)
 ANDREI IANCU (Bar No.184973)
 (aiancu@irell.com)
 JOSH B. GORDON (Bar No. 244818)
 josh.gordon@irell.com
 SANDRA L. HABERNY (Bar No. 260977)
 shaberny@irell.com
 IRELL & MANELLA LLP
 1800 Avenue of the Stars
 Suite 900
 Los Angeles, CA 90067
 Telephone: (310) 277-1010
 Facsimile: (310) 203-7199

8 Attorneys for Plaintiff and Counterclaim
 9 Defendants
 10 VERINATA HEALTH, INC., THE
 BOARD OF TRUSTEES OF THE
 11 LELAND STANFORD JUNIOR
 UNIVERSITY, and ILLUMINA, INC.

Attorneys for Defendant and Counterclaim
 Plaintiff
 ARIOSA DIAGNOSTICS, INC.

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

15 VERINATA HEALTH, INC.,
 16 and
 17 THE BOARD OF TRUSTEES OF THE
 LELAND STANFORD JUNIOR
 18 UNIVERSITY,
 19 Plaintiffs and
 Counterclaim-Defendants,
 20
 21 v.
 22 ARIOSA DIAGNOSTICS, INC.,
 and
 23 LABORATORY CORPORATION OF
 24 AMERICA HOLDINGS,
 25
 26 Defendants and
 Counterclaim-Plaintiffs.

Case No. 3:12-cv-05501-SI
STIPULATED CASE SCHEDULE
 Judge: Honorable Susan Illston

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

ILLUMINA, INC.,
Plaintiff,
v.
ARIOSADIAGNOSTICS, INC.,
Defendant.

ARIOSADIAGNOSTICS, INC.,
Defendant and Counterclaim-
Plaintiff,
v.
ILLUMINA, INC.,
Plaintiff and Counterclaim-
Defendant.

Case No. 3:14-cv-01921-SI
STIPULATED CASE SCHEDULE
Judge: Honorable Susan Illston

1 Pursuant to the Court's June 5, 2014 Order consolidating Case No. 14-01921 (*Illumina,*
2 *Inc. v. Ariosa Diagnostics, Inc.*) with Case No. 12-05501 (*Verinata Health, Inc. et al. v. Ariosa*
3 *Diagnostics, Inc. et al.*) and requiring the submission of a proposed case schedule, Illumina, Inc.,
4 Verinata Health, Inc., The Board Of Trustees Of The Leland Stanford Junior University
5 (collectively, "Plaintiffs") and Ariosa Diagnostics, Inc. ("Ariosa") jointly submit this stipulation
6 regarding the case schedule.

7 **I. PRELIMINARY STATEMENT**

8 The parties in these consolidated actions have met and conferred, and have agreed to the
9 case schedule presented below. The schedule is based upon the hearing and trial dates set by the
10 Court.

11 **II. STIPULATED CASE SCHEDULE**

Event	Date
Disclosure of Asserted Claims and Infringement Contentions and accompanying document production by Patentee [Pat. L.R. 3-1 & 3-2]	June 20, 2014
Invalidity Contentions and accompanying document production by accused infringer [Pat. L.R. 3-3 & 3-4]	July 18, 2014
Exchange of Proposed Terms and Claim Elements for Construction [Pat. L.R. 4-1]	August 1, 2014

28

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

Event	Date
Exchange of Preliminary Claim Constructions and Extrinsic Evidence [Pat. L.R. 4-2]	August 22, 2014
Filing of Joint Claim Construction and Pre-Hearing Statement [Pat. L.R. 4-3]	September 12, 2014
Completion of Claim Construction Discovery [Pat. L.R. 4-4]	October 8, 2014
Status Conference with the Court - Discuss Tutorial Mechanics - Discuss Markman Hearing Mechanics	October 10, 2014
Opening Claim Construction Brief by Patentee [Pat. L.R. 4-5(a)]	October 24, 2014
Responsive Claim Construction Brief by accused infringer [Pat. L.R. 4-5(b)]	November 7, 2014
Reply Claim Construction Brief by Patentee [Pat. L.R. 4-5(c)]	November 14, 2014

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

Event	Date
Technology Tutorial	December 4, 2014 at 3:30 p.m.
Claim Construction Hearing [Pat. L.R. 4-6]	December 11, 2014 at 3:30 p.m.
Status Conference with the Court	At the Court's convenience
Accused infringer's last day to produce opinions of counsel and/or serve privilege log re same [Pat. L.R. 3-7]	50 days after <i>Markman</i> ruling
Fact Discovery Cut-off	February 20, 2015
Opening Expert Reports for which party bears the burden	February 27, 2015
Rebuttal Expert Reports	March 27, 2015
Expert Discovery Cut-off	April 24, 2015
Last day to file dispositive motions	May 1, 2015
Last day to file dispositive motion opposition brief [Civil L.R. 7-3(a)]	May 15, 2015
Last day to file dispositive motion reply brief [Civil L.R. 7-3(c)]	May 22, 2015
Last Day for Dispositive Motions to Heard [Civil L.R. 7-2]	June 5, 2015

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

Event	Date
Last day to file Joint Pretrial Conference Statement, trial witness list and summary of proposed testimony, deposition and written discovery designations, jury instructions, admissibility stipulations, motions <i>in limine</i> , and trial exhibits/objections [Judge Illston’s Pretrial Instruction Nos. 1, 2, 3, 5(b), 6]	June 30, 2015
Last day to file responses to motions <i>in limine</i> [Judge Illston’s Pretrial Instruction No. 6]	July 7, 2015
Pretrial Conference	July 14, 2015
Trial	July 27, 2015

Respectfully submitted,

WEIL, GOTSHAL & MANGES LLP

By: /s/ Derek C. Walter
Derek C. Walter
Attorneys for Plaintiffs and Counterclaim-
Defendants Verinata Health, Inc., The Board Of
Trustees Of The Leland Stanford Junior University,
and Illumina, Inc.

Dated: July 10, 2014

IRELL & MANELLA LLP

By: /s/ David I. Gindler
David I. Gindler
Attorneys for Defendant and
Counterclaim-Plaintiff
Ariosa Diagnostics, Inc.

Dated: July 10, 2014

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


CERTIFICATION

I, Derek C. Walter, am the ECF User whose identification and password are being used to file this Stipulation. In compliance with General Order 45.X.B, I hereby attest that David Gindler has concurred in this filing.

/s/ Derek C. Walter
Derek C. Walter

IT IS SO ORDERED.

Dated: 7/11/14


Honorable Susan Illston
United States District Court Judge