

United States District Court  
For the Northern District of California

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

BIOTECHNOLOGY VALUE FUND, L.P.,  
BIOTECHNOLOGY VALUE FUND II, L.P.,  
INVESTMENT 10, L.L.C., BVF  
INVESTMENTS, L.L.C.; BVF INC., and  
BVF X, LLC,

Plaintiffs,

No. C 13-03248 WHA

v.

CELERA CORPORATION, CREDIT  
SUISSE SECURITIES (USA) LLC, KATHY  
ORDOÑEZ, RICHARD H. AYERS,  
WILLIAM G. GREEN, PETER BARTON  
HUTT, GAIL M. NAUGHTON, WAYNE I.  
ROE, and BENNETT M. SHAPIRO,

**ORDER TO SHOW CAUSE  
AS TO NON-PARTY  
PHARMACYCLICS, INC.**

Defendants.

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Today, plaintiffs’ counsel filed a three-page letter stating that they subpoenaed certain drug valuation documents from non-party Pharmacyclics, Inc., but that Pharmacyclics refuses to produce those documents because the amended stipulated protective order does not provide sufficient protection (in Pharmacyclics’ view). Among other items, the amended stipulated protective order contains provisions on “Attorneys’ Eyes Only” review, which would encompass review by defendants’ in-house litigation counsel. Plaintiffs’ counsel further represent that Pharmacyclics had agreed to turn over the valuation documents, but now refuses to do so despite the “Attorneys’ Eyes Only” provisions in the amended stipulated protective order.

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Given this action’s discovery cut-off on October 21, 2014, Pharmacyclics is hereby **ORDERED TO SHOW CAUSE** as to why it should not comply with plaintiffs’ subpoenas and turn over the sought-after valuation documents. Pharmacyclics’ response to this order to show cause shall be no more than **THREE PAGES**, and is due by **12 PM ON SEPTEMBER 15, 2014**. In the alternative, Pharmacyclics may bring a proper motion to quash plaintiffs’ subpoenas, due by **12 PM ON SEPTEMBER 15, 2014**. Plaintiffs’ counsel will promptly serve Pharmacyclics with a copy of this order, by first-class mail and e-mail.

**IT IS SO ORDERED.**

Dated: September 11, 2014.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE