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Attorneys for Plaintiffs Amgen Inc. and Amgen Manufacturing, Limited

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

AMGEN INC. and
AMGEN MANUFACTURING, LIMITED,

Plaintiffs,

v.

SANDOZ INC., SANDOZ
INTERNATIONAL GMBH, and
SANDOZ GMBH,

Defendants.

Case No. 3:14-cv-04741-RS
Case No. 3:16-cv-02581-RS

**STIPULATION AND ~~PROPOSED~~
SCHEDULING ORDER**

AMGEN INC. and AMGEN
MANUFACTURING, LIMITED,

Plaintiffs,

v.

SANDOZ INC. SANDOZ
INTERNATIONAL GMBH, SANDOZ
GMBH, and LEK PHARMACEUTICALS,
D.D.,

Defendants.

Pursuant to Civil Local Rule 7-12, Plaintiffs Amgen Inc. and Amgen Manufacturing, Limited (“Amgen”) and Defendants Sandoz Inc., Sandoz International GmbH, Sandoz GmbH, and Lek Pharmaceuticals, d.d. through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on May 4, 2017, the Parties submitted a Further Case Management Statement (-04741 Dkt. No. 240) setting forth reasons for requesting an extension of the current dates and proposing separate modified schedules to extend the current dates;

WHEREAS, on May 11, 2017, the Parties attended a Further Case Management Conference (-04741 Dkt. No. 246, -02581 Dkt. No. 79) and agreed to submit a joint proposal for a modified schedule;

WHEREAS, the Parties have agreed to the proposed dates through dispositive motions as set forth below;

WHEREAS, the Parties are continuing to discuss trial dates and will advise further about this on Monday, May 15, 2017;

WHEREAS, there have been no scheduling modifications since the Court entered the Case Management Scheduling Order on October 28, 2016 (-04741 Dkt. No. 220, -02581 Dkt. No. 56); and

WHEREAS, the requested extensions will change the Court’s previous scheduling order as set forth below;

NOW, THEREFORE, the parties hereby jointly request the modified schedule through dispositive motions set forth below.

Proposed Revised Schedule

Amgen v. Sandoz, Case No. 3:14-cv-04741-RS (N.D. Cal.)
Amgen v. Sandoz, Case No. 3:16-cv-02581RS (N.D. Cal.)

Description	Current Date from Court’s Scheduling Order	Parties’ Proposed Date
Completion of Non-Expert Discovery	5/10/2017	6/23/2017 For the purposes of completing discovery already pending

Description	Current Date from Court's Scheduling Order	Parties' Proposed Date
Final Privilege Logs	5/24/2017	7/7/2017
Opening Expert Reports (on issues where the party bears the burden of proof)	6/16/2017	7/14/2017
Rebuttal Expert Reports	7/21/2017	8/18/2017
Reply Expert Report (to rebut any alleged secondary considerations of non-obviousness, which shall be addressed first by Amgen in its Rebuttal Expert Reports)	8/4/2017	9/1/2017
Completion of Expert Discovery	9/13/2017	10/6/2017
Next mediation before		9/7/2017
Deadline for Dispositive Motions	10/4/2017	10/25/2017
Dispositive Motion Responsive Briefs	10/18/2017	11/13/2017
Dispositive Motion Reply Briefs	10/27/2017	11/21/2017
Dispositive Motion Hearing	11/9/2017	12/7/2017 or at the Court's convenience

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Respectfully submitted,

Dated: May 12, 2017

By: /s/ Nicholas Groombridge
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Dated: May 12, 2017

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SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing of this document has been obtained from each of the other Signatories shown above.

Dated: May 12, 2017

By: /s/ Sue Wang
Sue Wang

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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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3 Dated: May 15, 2017



4 THE HONORABLE RICHARD SEEBORG
5 UNITED STATES DISTRICT COURT JUDGE

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