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*Attorneys for Defendants Sandoz Inc., Sandoz  
 GmbH, and Sandoz International GmbH*

**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

**STIPULATED REQUEST AND  
~~[PROPOSED]~~ ORDER TO EXTEND  
 TIME TO FILE REBUTTAL EXPERT  
 REPORTS ON THE '427 PATENT**

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Amgen Inc. and Amgen  
2 Manufacturing, Limited and Defendants Sandoz Inc., Sandoz International GmbH, and Sandoz  
3 GmbH, through their undersigned counsel, hereby stipulate as follows:

4 WHEREAS, on August 23, 2017, Amgen and Sandoz attended a mediation with Robert  
5 B. Davidson where the parties made progress on resolving disputes regarding U.S. Patent No.  
6 6,162,427 (“the ’427 patent”). The parties agreed to terms for a stipulated offer of judgment and  
7 are in the process of drafting a formal document, subject to the approval of both Amgen and  
8 Sandoz’s managements;

9 WHEREAS, Amgen’s lead trial and in-house counsel team members are preparing for  
10 two separate trials, such that they cannot finalize the draft stipulated offer of judgment prior to  
11 the current deadline to exchange rebuttal expert reports, September 1, 2017;

12 WHEREAS, a one-week extension of the time to exchange rebuttal expert reports on the  
13 ’427 patent is needed so that the parties may reach agreement on a draft stipulation, and provide  
14 rebuttal expert reports only if no agreement can be reached;

15 WHEREAS, the scheduling modifications since the Court entered the Case Management  
16 Scheduling Order on October 28, 2016 together with Case No. Case No. 3:16-cv-02581-RS  
17 (Dkt. No. 220) are as follows: the Court modified the schedule through dispositive motions on  
18 May 15, 2017 (Dkt. No. 248); modified the schedule through trial on May 19, 2017 (Dkt. No.  
19 253); and modified the deadlines for the exchange of expert reports (Dkt. No. 259);

20 WHEREAS, the extension will not change any other dates from the Court’s last  
21 scheduling order, although Amgen will agree to extend the deadline for Sandoz to serve expert  
22 reply reports on the ’427 patent, if any;

23 WHEREAS, the parties do not seek to extend the time to file rebuttal expert reports on  
24 the other patent in suit, U.S. Patent No. 8,940,878;

25 NOW, THEREFORE, the parties hereby jointly request that this Court extend the time  
26 to file rebuttal expert reports on the ’427 patent by one week from today, to September 8, 2017.

Respectfully submitted,

Dated: September 1, 2017

By: /s/ Nicholas Groombridge

Nicholas Groombridge

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Dated: September 1, 2017

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*Attorneys for Defendants Sandoz Inc., Sandoz GmbH, and  
Sandoz International GmbH*

**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: September 1, 2017

By: /s/ Sue Wang  
Sue Wang

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

2  
3 Dated: 9/1, 2017

A handwritten signature in blue ink, appearing to read "Richard Seeborg", is written over a horizontal line.

4 THE HONORABLE RICHARD SEEBORG  
5 UNITED STATES DISTRICT COURT JUDGE  
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