

1 Vernon M. Winters (SBN 130128)
 2 SIDLEY AUSTIN LLP
 3 555 California Street, Suite 2000
 4 San Francisco, CA 94104-1503
 Telephone: (415) 772-1200
 Facsimile: (415) 772-7400
 vwinters@sidley.com

Erik J. Olson (SBN 175815)
 MORRISON & FOERSTER LLP
 755 Page Mill Road
 Palo Alto, California 94304
 Telephone: 650.813.5600
 Facsimile: 650.494.0792
 ejolson@mof.com
 Additional counsel listed below

5 Nicholas Groombridge (*pro hac vice*)
 6 1285 Avenue of the Americas
 New York, NY 10019-6064
 Telephone: (212) 373-3000
 Facsimile: (212) 757-3990
 7 ngroombridge@paulweiss.com
 Additional counsel listed below

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

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 9 *Attorneys for Plaintiffs Amgen Inc. and Amgen Manufacturing, Limited*

10
 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

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 14
 15 AMGEN INC. and
 16 AMGEN MANUFACTURING, LIMITED,

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

17 Plaintiffs,

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

18 v.

19 SANDOZ INC., SANDOZ
 20 INTERNATIONAL GMBH, and
 SANDOZ GMBH,

21 Defendants.

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”), and agreed to terms for a stipulated offer of judgment, subject to
7 the approval of both Amgen and Sandoz’s managements;

8 WHEREAS, on September 1, 2017, the Court granted the parties’ stipulated request to
9 extend time to file rebuttal expert reports on the ’427 patent from September 1, 2017 until
10 today, September 8, 2017, so that the parties may reach agreement on a draft stipulation for
11 entry of judgment regarding the ’427 patent (Dkt. No. 268);

12 WHEREAS, the parties have exchanged draft stipulations, but have yet to reach
13 agreement on a draft;

14 WHEREAS, the parties are confident that they can reach agreement but require more
15 time to discuss the exchanged drafts;

16 WHEREAS, a three-business-day extension of the time to exchange rebuttal expert
17 reports on the ’427 patent is needed so that the parties may reach agreement on a draft
18 stipulation, and provide rebuttal expert reports only if no agreement can be reached;

19 WHEREAS, the scheduling modifications since the Court entered the Case Management
20 Scheduling Order on October 28, 2016 together with Case No. 3:16-cv-02581-RS (Dkt. No.
21 220) are as follows: the Court modified the schedule through dispositive motions on May 15,
22 2017 (Dkt. No. 248); modified the schedule through trial on May 19, 2017 (Dkt. No. 253);
23 modified the deadlines for the exchange of expert reports (Dkt. No. 259); and modified the
24 deadline for the exchange of rebuttal expert reports on the ’427 patent (Dkt. No. 268);

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

1 NOW, THEREFORE, the parties hereby jointly request that this Court extend the time
2 to file rebuttal expert reports on the '427 patent by three business days from today, to
3 September 13, 2017.

4
5 Respectfully submitted,

6 Dated: September 8, 2017 By: /s/ Eric Alan Stone

7 Eric Alan Stone
8 PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
9 1285 Avenue of the Americas
10 New York, NY 10019-6064
11 Telephone: (212) 373-3000
12 Facsimile: (212) 757-3990
13 estone@paulweiss.com

14 Vernon M. Winters (SBN 130128)
15 SIDLEY AUSTIN LLP
16 555 California Street, Suite 2000
17 San Francisco, CA 94104-1503
18 Telephone: (415) 772-1200
19 Facsimile: (415) 772-7400
20 vwinters@sidley.com

21 *Attorneys for Amgen Inc. and Amgen Manufacturing, Ltd.*

22 Dated: September 8, 2017

23 By: /s/ Erik J. Olson
24 Erik J. Olson (SBN 175815)
25 MORRISON & FOERSTER LLP
26 755 Page Mill Road
27 Palo Alto, California 94304
28 Telephone: 650.813.5600
 Facsimile: 650.494.0792
 ejolson@mofo.com

*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 8, 2017

By: /s/ Sue Wang
Sue Wang

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 9/8, 2017



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE