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 INVESTMENT 10, L.L.C.  
 8 MSI BVF SPV, LLC,  
 BVF PARTNERS, L.P.,  
 9 BVF INC., and  
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17 Attorneys for Plaintiff

18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN FRANCISCO DIVISION**

22 BRIAN B. SAND & ZACHARY B. SAND  
 23 JOINT TRUST  
 24 Plaintiff,  
 25 v.  
 26 BIOTECHNOLOGY VALUE FUND, L.P., ET  
 AL.,  
 27 Defendants.

Case No. 3:16-CV-01313-RS  
 ORDER  
**STIPULATED REQUEST TO  
 CONTINUE CASE MANAGEMENT  
 CONFERENCE AND ENLARGE  
 TIME TO FILE CASE  
 MANAGEMENT STATEMENT**  
 The Hon. Richard Seeborg

1 WHEREAS, the parties submitted a joint request to continue the Case Management  
2 Conference originally scheduled for June 16, 2016 (Dkt. 25);

3 WHEREAS, the Court continued the Case Management Conference until October 27,  
4 2016 at 10:00 a.m. (Dkt. 26);

5 WHEREAS, the motion hearing on Defendants' motion to dismiss the complaint was  
6 initially scheduled for October 27, 2016 at 1:30 p.m. (Dkt. 31);

7 WHEREAS, the Court continued the motion hearing on Defendants' motion to dismiss  
8 the complaint until October 28, 2016 at 1:30 p.m. (Dkt. 32);

9 WHEREAS, counsel for Plaintiff and counsel for Defendants will be traveling from New  
10 York to appear at the Case Management Conference on October 27, 2016 and the hearing on  
11 Defendants' motion to dismiss the amended complaint on October 28, 2016;

12 WHEREAS, counsel for Plaintiff and counsel for Defendants have conferred and, in the  
13 interest of the economy of the parties, Plaintiff and Defendants seek an order continuing the  
14 October 27, 2016 Case Management Conference by one day, until October 28, 2016 at 10:00  
15 a.m.;

16 WHEREAS, the proposed change would postpone by one day the parties' October 6, 2016  
17 deadline to meet and confer under Federal Rule of Civil Procedure 26(f), the parties' October 20,  
18 2016 deadline to file a joint case management statement under Federal Rule of Civil Procedure  
19 26(f)(2), and the parties' October 20, 2016 deadline to exchange initial disclosures under Federal  
20 Rule of Civil Procedure 26(a)(1)(C);

21 **IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned  
22 attorneys for Plaintiff and the undersigned attorneys for Defendants, that the parties respectfully  
23 request, pursuant to Local Rules 6-2, 7-12, and 16-2, that the case schedule be changed as  
24 follows:

- 25 1. The Case Management Conference currently scheduled for October 27, 2016 at  
26 10:00 a.m. shall be re-set for October 28, 2016 at <sup>1:30 p.m.</sup>~~10:00 a.m.~~;
- 27 2. The October 6, 2016 deadline for the parties to meet and confer under Federal

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Rule of Civil Procedure 26(f) shall be re-set for October 7, 2016;

- 3. The October 20, 2016 deadline for the parties to file the joint Case Management Statement under Federal Rule of Civil Procedure 26(f)(2) shall be re-set for October 21, 2016; and
- 4. The October 20, 2016 deadline for the parties to exchange initial disclosures under Federal Rule of Civil Procedure 26(a)(1)(C) shall be re-set for October 21, 2016.

**HOGAN LOVELLS US LLP**

Dated: September 26, 2016

By:           /s/ Robert B. Hawk          

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**ABRAHAM, FRUCHTER & TWERSKY, LLP**

Dated: September 26, 2016

By:           /s/ Cassandra Porsch          

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*Attorneys for Plaintiff*

**ORDER**

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

Dated:   9/28  , 2016

By:  \_\_\_\_\_

Hon. Richard J. Seeborg, U.S.D.J.