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Attorneys for Plaintiffs Illumina, Inc. and
 Illumina Cambridge Ltd.

7 Attorneys for Defendants QIAGEN, N.V.,
 QIAGEN GmbH, QIAGEN Gaithersburg, Inc.,
 8 QIAGEN Sciences, LLC, QIAGEN Inc. (USA),
 QIAGEN Redwood City, Inc., and
 9 Intelligent Bio-Systems, Inc.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

	:	
ILLUMINA, INC., and ILLUMINA	:	Case No. 3:16-cv-02788
CAMBRIDGE LTD.,	:	
Plaintiffs,	:	STIPULATION AND PROPOSED
v.	:	ORDER FOR EXTENSION OF TIME TO
	:	RESPOND TO COMPLAINT AND
	:	MOTION FOR PRELIMINARY
	:	INJUNCTION
	:	
QIAGEN, N.V., QIAGEN GmbH,	:	
QIAGEN GAITHERSBURG, INC.,	:	
QIAGEN SCIENCES, LLC,	:	
QIAGEN INC. (USA), QIAGEN REDWOOD	:	
CITY, INC., and INTELLIGENT BIO-	:	
SYSTEMS, INC.,	:	
Defendants.	:	
	:	

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 24 The parties HEREBY STIPULATE AND AGREE that, subject to the approval and order
 25 of the Court, the deadline by which defendants must respond to the pending Complaint and
 26 Motion for Preliminary Injunction of plaintiffs Illumina, Inc. and Illumina Cambridge Ltd.
 27 (together, "Illumina") is extended at this time to and including June 17, 2016, without waiver of

1 requests for further relief from such extended deadline. In support of this Stipulation, the parties
2 state as follows:

3 1. On May 24, 2016, Illumina filed its Complaint [Dkt. No. 1] and Motion for
4 Preliminary Injunction [Dkt. No. 13] (“the Motion”) against defendants QIAGEN, N.V., QIAGEN
5 GmbH, QIAGEN Gaithersburg, Inc., QIAGEN Sciences, LLC, QIAGEN Inc. (USA), QIAGEN
6 Redwood City, Inc., and Intelligent Bio-Systems, Inc. (together, “QIAGEN”).

7 2. Pursuant to the Court’s Local Rules governing the timing of filing Opposition
8 briefs, Qiagen’s response to Illumina’s Motion for Preliminary Injunction was set for two weeks
9 after Illumina’s May 24, 2016 filing date, i.e., on June 7, 2016.

10 3. Illumina served the registered agents of the U.S.-based defendants, QIAGEN
11 Gaithersburg, Inc., QIAGEN Sciences, LLC, QIAGEN Inc. (USA), QIAGEN Redwood City, Inc.,
12 and Intelligent Bio-Systems, Inc., on May 25-26, 2016. Defendants’ counsel accepted service as
13 to the two foreign-based defendants, QIAGEN, N.V. and QIAGEN GmbH, on May 31, 2016, but
14 without waiving any defenses, except the need for formal service of process.

15 4. QIAGEN has requested additional time to respond to the Motion and the
16 Complaint, and Illumina has preliminarily agreed to extend the deadline for QIAGEN to respond
17 to Illumina’s Complaint and Motion for Preliminary Injunction until and including June 17, 2016.
18 The parties continue to engage in discussions regarding additional time to respond, procedural
19 issues regarding the Court’s jurisdiction over certain defendants and the venue of this matter, and
20 overall scheduling.

21 5. Although the parties continue to meet and confer regarding the scheduling of this
22 matter, if the meet and confer is not successful, QIAGEN anticipates filing further requests for
23 additional relief from the June 17 deadlines memorialized by this Stipulation, and this Stipulation
24 is without prejudice to QIAGEN’s right to request such additional relief from the case schedule, or
25 to Illumina’s right to oppose any such requests.

26 6. The parties also agree that Illumina’s obligation to file a Continuance of Noticed
27 Hearing Date under Civil Local Rule 7-7 also is extended so that Illumina may comply with Civil
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1 Local Rule 7-7(a)(2) by filing its notice to continue the hearing before June 17, 2016.

2 7. Each defendant agrees to this Stipulation only for the limited purpose of extending
3 the time for it and the other defendants to respond to Illumina's Complaint and Motion for
4 Preliminary Injunction, and without waiving any defenses.

5 **IT IS SO STIPULATED.**

6 Dated: June 7, 2016

FARELLA BRAUN & MARTELL LLP

7 I, John L. Cooper, represent that
8 concurrence in the filing of this document
9 has been obtained from each of the other
signatories, which shall serve in lieu of
their signatures on this document.

/s/ John L. Cooper
John L. Cooper

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Attorneys For Defendants
QIAGEN, N.V., QIAGEN GMBH, QIAGEN
11 GAITHERSBURG, INC., QIAGEN SCIENCES,
12 LLC, QIAGEN INC. (USA), QIAGEN
REDWOOD CITY, INC., AND INTELLIGENT
BIO-SYSTEMS, INC.

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WEIL, GOTSHAL & MANGES LLP

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/s/ Edward R. Reines
Edward R. Reines

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Attorneys for Plaintiffs
ILLUMINA, INC. AND ILLUMINA
17 CAMBRIDGE LTD.

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~~PROPOSED~~ ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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IT IS SO ORDERED.

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Date: June 7, 2016.

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THE HONORABLE WILLIAM H. ALSUP

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