

1 Robert J. Gunther, Jr. (NY SBN: 1967652)  
robert.gunther@wilmerhale.com  
2 Omar Khan (*pro hac vice*)  
omar.khan@wilmerhale.com  
3 WILMER CUTLER PICKERING HALE  
4 AND DORR LLP  
250 Greenwich Street  
5 New York, NY 10007  
Telephone: (212) 230-8800  
6 Facsimile: (212) 230-8888  
7

8 Robert M. Galvin (State Bar No. 171508)  
robert.galvin@wilmerhale.com  
9 WILMER CUTLER PICKERING HALE  
AND DORR LLP  
10 950 Page Mill Road  
Palo Alto, CA 94304  
11 Telephone: (650) 858-6000  
12 Facsimile: (650) 858-6100

13 (Additional Counsel on Signature Page)

14 *Counsel for Genia Technologies, Inc.*  
15 *and Roger Jinteh Arrigo Chen*

16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**  
18 **SAN FRANCISCO DIVISION**

19 THE REGENTS OF THE UNIVERSITY OF  
20 CALIFORNIA, a California corporation,

21 Plaintiff,

22 vs.

23 ROGER JINTEH ARRIGO CHEN, an  
24 individual; GENIA TECHNOLOGIES, INC.,  
a Delaware corporation; and DOES 1-25,

25 Defendants.  
26  
27  
28

Case No. 3:16-cv-7396-EMC

**JOINT STIPULATION AND**  
**~~[PROPOSED]~~ ORDER TO MODIFY**  
**DEADLINES** (modified)

1 Plaintiff Regents of the University of California's ("Plaintiff") and Defendants Roger  
2 Jinteh Arrigo Chen ("Chen") and Genia Technologies, Inc. ("Genia") and, together with Chen,  
3 "Defendants") (collectively, Plaintiff and Defendants are referred to as the "Parties"), have met-  
4 and-conferred and jointly stipulate and request as follows:

5 WHEREAS, following a mediation held on May 1, 2018, the Parties have entered into an  
6 agreement in principle to settle this case, and the Parties require additional time to finalize a  
7 definitive settlement agreement so that the case may be dismissed in its entirety following the  
8 execution of that definitive agreement.

9 WHEREAS, the Court has previously entered stipulations order extending deadlines to  
10 allow the parties to finalize the settlement agreement (Docs. 95, 98), and the parties now require  
11 additional time.

12 WHEREAS, the Parties have agreed to suspend further discovery activity and deadlines  
13 until July 30, 2018 (including any deadlines for briefing relating to any motions pending before  
14 the Court) while the Parties finalize the definitive agreement.

15 WHEREAS, the Parties are working diligently to finalize the definitive agreement and  
16 anticipate doing so within the coming two weeks.

17 WHEREAS, in accordance with their agreed suspension of discovery activity and  
18 deadlines, the Parties respectfully request the following modifications of additional deadlines set  
19 by the Court:

- 20 1. The Court has set a Status Conference in this case for July 19, 2018 (Doc. 98). In  
21 order to allow the Parties time to finalize their settlement, the Parties hereby agree  
22 and request that the Court re-set this Status Conference for August 9, 2018, as noted in  
23 the Proposed Order attached hereto, or for an alternate date in early August 2018  
24 convenient for the Court.
- 25 2. In its June 5, 2018 order (Doc. 98), the Court re-set the hearing on Defendants'  
26 Motion to Join Oxford Nanopore Technologies, Inc. (Doc. 87) ("Defendants'  
27 Motion") to September 6, 2018, and the deadlines for the Parties to file their response and  
28

1 reply in connection with this motion to July 20, 2018 and August 3, 2018, respectively.

2 In order to allow the Parties time to finalize their settlement, the Parties hereby agree and  
3 request that, as noted in the Proposed Order attached hereto: the time for Plaintiff  
4 to file its Response to Defendants' Motion be extended to and including, August 10,  
5 2018; the time for Defendants to file their reply in support of Defendants' Motion be  
6 extended to and including August 24, 2018; and the hearing on Defendants' Motion be  
7 re-set for September 13, 2018.

8 3. In its June 5, 2018 order (Doc. 98), the Court set a deadline of July 11, 2018 for  
9 Defendants to file revised documents pursuant to Local Rule 79-5(f) in accordance with  
10 the Court's April 27, 2018 order (Doc. 94). In order to allow the Parties additional time  
11 to finalize their settlement, the Parties hereby agree and request that the time for  
12 Defendants to file these revised documents pursuant to Local Rule 79-5(f) be extended to  
13 and including July 25, 2018, as noted in the Proposed Order attached hereto.

14 4. In its April 3, 2018 (Doc. 85) order modifying trial deadlines, the Court set the following  
15 deadlines:

- |    |                                  |   |
|----|----------------------------------|---|
| 16 | a. Dispositive Motions:          | Last day to be <i>heard</i> 11/18/2018 at 1:30pm; |
| 17 | b. Non-Expert Discovery Cut-Off: | 7/2/2018;   |
| 18 | c. Opening Expert Reports:       | 8/16/2018;  |
| 19 | d. Rebuttal Expert Reports:      | 9/6/2018;   |
| 20 | e. Expert Discovery Cut-Off:     | 9/27/2018;  |

21 In order to permit the parties to finalize their settlement agreement, the parties  
22 respectfully request that the Court extend those deadlines as follows:

15

- |    |                                  |  |
|----|----------------------------------|--|
| 23 | a. Dispositive Motions:          | Last day to be <i>heard</i> 11/ <del>25</del> /2018 at 1:30pm; |
| 24 | b. Non-Expert Discovery Cut-Off: | 7/30/2018;   |
| 25 | c. Opening Expert Reports:       | 8/30/2018;   |
| 26 | d. Rebuttal Expert Reports:      | 9/20/2018;   |
| 27 | e. Expert Discovery Cut-Off:     | 10/4/2018;   |

WHEREAS, the Parties have met and conferred and agree that there is good cause for these stipulated modifications, and that this stipulation is not made for purposes of delay, but rather so that the Parties can finalize the settlement of this case, which they are working diligently to do. Thus, the Parties respectfully request that the Court sign the Proposed Order attached hereto.

**SO STIPULATED**

DATE: July 1, 2018

**BAKER BOTTS LLP**

By: /s/ Stuart C. Plunkett  
Stuart C. Plunkett (SBN 187971)  
stuart.plunkett@bakerbotts.com  
Ariel D. House (SBN 280477)  
ariel.house@bakerbotts.com  
101 California Street, Suite 3070  
San Francisco, California 94111  
Telephone: (415) 291-6200  
Facsimile: (415) 291-6300

Paul R. Morico (pro hac vice)  
paul.morico@bakerbotts.com  
Elizabeth D. Flannery (pro hac vice)  
liz.flannery@bakerbotts.com  
One Shell Plaza  
901 Louisiana Street  
Houston, Texas 77002  
Telephone: (713) 229-1234  
Facsimile: (713) 229-1522

*Counsel for Plaintiff  
The Regents of the University of  
California*

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

/s/ Robert J. Gunther, Jr.  
Robert J. Gunther, Jr. (NY: 1967652)  
robert.gunther@wilmerhale.com  
Omar Khan (*pro hac vice*)  
omar.khan@wilmerhale.com  
WILMER CUTLER PICKERING HALE  
AND DORR LLP  
250 Greenwich Street  
New York, NY 10007  
Telephone: (212) 230-8800  
Facsimile: (212) 230-8888

Robert M. Galvin (State Bar No. 171508)  
robert.galvin@wilmerhale.com  
WILMER CUTLER PICKERING HALE  
AND DORR LLP  
950 Page Mill Road  
Palo Alto, CA 94304  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

Sarah B. Petty (*pro hac vice*)  
sarah.petty@wilmerhale.com  
WILMER CUTLER PICKERING HALE  
AND DORR LLP  
60 State Street  
Boston, MA 02109

Telephone: (617) 526-6000  
Facsimile: (617) 526-5000

Nora Q.E. Passamaneck (*pro hac vice*)  
nora.passamaneck@wilmerhale.com  
WILMER CUTLER PICKERING HALE  
AND DORR LLP  
1225 17th Street, Suite 2600  
Denver, CO 80202  
Telephone: (720) 274-3135  
Facsimile: (720) 274-3133

*Counsel for Genia Technologies, Inc. and  
Roger Jinteh Arrigo Chen*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

/s/ Robert B. Gunther  
Robert B. Gunther

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

/s/ Robert B. Gunther  
Robert B. Gunther

~~PROPOSED~~ ORDER

IT IS SO ORDERED that the foregoing Joint Stipulation is approved.

The Court HEREBY ORDERS as follows:

1. The Status Conference in this case for July 19, 2018 is hereby vacated and reset for August 9, 2018.
2. The deadline for Plaintiff to file its response to Defendants' Motion to Joint Oxford Nanopore Technologies, Inc. (Doc. 87) shall be extended to and including August 10, 2018, and the deadline for Defendants to file any reply for that Motion shall be extended to August 24, 2018.
3. Defendants' Motion to Join Oxford Nanopore Technologies, Inc. shall be set for hearing on September 13, 2018.
4. The deadline for Defendants to file revised documents pursuant to Local Rule 79-5(f) in accordance with the Court's April 27, 2018 order (Doc. 94) shall be extended to and including July 25, 2018.
5. The following modified deadlines are hereby ordered, replacing the previously-ordered dates for these deadlines:

- a. Dispositive Motions:
- b. Non-Expert Discovery Cut-Off:
- c. Opening Expert Reports:
- d. Rebuttal Expert Reports:
- e. Expert Discovery Cut-Off:

Last day to be *heard* 11/25/2018 at 1:30pm;  
7/30/2018;  
8/30/2018;  
9/20/2018;  
10/4/2018;

Dated: 7/3/2018

Edward M.  
United States

