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18 IN THE UNITED STATES DISTRICT COURT  
19 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 ABBVIE INC.,  
22 Plaintiff,  
23 v.  
24 NOVARTIS VACCINES AND  
DIAGNOSTICS, INC. and GRIFOLS  
WORLDWIDE OPERATIONS LTD.,  
25 Defendants.

Case No. 3:17-CV-01815 EMC

**STIPULATION & [PROPOSED]  
ORDER TO MODIFY BRIEFING  
SCHEDULE AND HEARING DATE  
FOR MOTION TO COMPEL  
ARBITRATION AND TO STAY**

**STIPULATION & [PROPOSED] ORDER TO  
MODIFY BRIEFING SCHED. & HEARING  
DATE FOR MOTION TO COMPEL  
CASE NO. 3:17-CV-01815 EMC**

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Plaintiff AbbVie Inc. (“AbbVie”), Defendant Novartis Vaccines and Diagnostics, Inc. (“Novartis”) and Defendant Grifols Worldwide Operations Ltd. (“Grifols”) file this stipulated request and respectfully ask the Court to modify the briefing schedule for Defendant Novartis’s Motion to Compel Arbitration and to Stay (“Motion to Compel Arbitration”). As grounds, the parties state as follows:

On June 5, 2017, Novartis filed its Motion to Compel Arbitration (ECF No. 48) in this case. In view of the schedules of counsel and with consideration to the Court’s schedule over the coming months, the undersigned counsel met, conferred and agreed to extend the briefing schedule and hearing date as follows:

<b>Event</b>	<b>Original Date</b>	<b>New Date</b>
Responses Due	6/19/2017	7/7/2017
Replies Due	6/26/2017	7/21/2017
Motion Hearing	7/13/2017, 1:30pm	8/17/2017, 1:30pm

In addition, on June 5, 2017, the parties also filed a stipulated request to stay the proceedings in this case pending resolution of the Motion To Compel Arbitration and to Stay, which the Court granted on June 6, 2017. (ECF No. 53) (“Pursuant to Stipulation, all scheduling requirements are stayed until the Court issues its ruling on Novartis’ Motion To Compel Arbitration and to Stay”). On that same date, however, a Clerk’s Notice was entered stating that the Case Management Conference is reset to August 24, 2017 with the Case Management Statement due on August 17, 2017. (ECF No. 54) Given the Court’s June 6, 2017 Order staying “all scheduling requirements” in this case “until the Court issues its ruling on Novartis’ Motion To Compel Arbitration and to Stay,” the parties respectfully request that the June 6, 2017 Clerk’s Notice setting the Case Management Conference be vacated.

Grifols respectfully continues to reserve its right to challenge service of process in this case.

1 WHEREFORE, the parties respectfully request that, for good cause shown, the Court  
2 grant this stipulated request.  
3

4 Dated: June 8, 2017

Respectfully submitted,

5 MCDERMOTT WILL & EMERY LLP

6 By: /s/ Thomas P. Steindler

7 Thomas P. Steindler

8 *Attorneys for Novartis Vaccines and Diagnostics, Inc.*  
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LATHAM & WATKINS LLP

By: /s/ Gregory K. Sobolski  
Gregory K. Sobolski

*Attorneys for AbbVie Inc.*

/s/ Andrea Meghrouni-Brown  
Andrea Meghrouni-Brown

*Attorney for Grifols Worldwide Operations Ltd.*

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**SIGNATURE ATTESTATION**

Pursuant to General Order 45.X(B), I hereby attest that concurrence has been obtained from Gregory K. Sobolski and Andrea Meghrouni-Brown indicated by the “conformed” signatures (/s/) within this e-filed document.

/s/ Thomas P. Steindler  
Thomas P. Steindler

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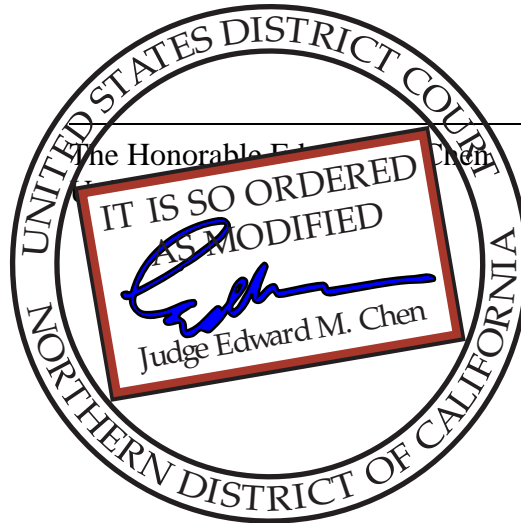
**[PROPOSED] ORDER**

Pursuant to Stipulation, the briefing schedule for Novartis' Motion to Compel Arbitration and to Stay has been modified as follows:

Event	Original Date	New Date
Responses Due	6/19/2017	7/7/2017
Replies Due	6/26/2017	7/21/2017
Motion Hearing	7/13/2017, 1:30pm	8/17/2017, 1:30pm

In addition, the Clerk's Notice dated June 6, 2017 (ECF No. 54) setting a date for the Case Management Conference is hereby ~~VACATED~~. reset from 8/24/17 to 11/16/17 at 9:30 a.m. A joint CMC statement shall be filed by 11/9/17.  
IT IS SO ORDERED.

Date: 6/8/17



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