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17 UNITED STATES DISTRICT COURT  
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

20 ABBVIE INC.

21 Plaintiff,

22 v.

23 NOVARTIS VACCINES & DIAGNOSTICS,  
 24 INC. and GRIFOLS WORLDWIDE  
 OPERATIONS LTD.

25 Defendants.  
26

CASE NO. 3:17-cv-01815-EMC

**STIPULATION & [PROPOSED] ORDER TO  
 POSTPONE CASE MANAGEMENT  
 CONFERENCE PENDING RESOLUTION  
 OF ARBITRATION** (revised)

Complaint filed March 31, 2017

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1 Plaintiff AbbVie, Inc. (“AbbVie”), Defendant Novartis Vaccines and Diagnostics, Inc.,  
2 (“Novartis”), and Defendant Grifols Worldwide Operations Ltd. (“Grifols”) file this stipulated  
3 request and respectfully ask the Court to modify the case schedule to postpone the Initial Case  
4 Management Conference and due date for the Case Management Statement, pending resolution  
5 of arbitration between AbbVie and Novartis.

6 On August 31, 2017, this Court granted Defendant’s Motion to Compel Arbitration. (D.I.  
7 73.) In response, AbbVie and Novartis commenced arbitration. The arbitration proceedings  
8 remain on-going.

9 A Case Management Conference is currently scheduled for March 29, 2018, with a Case  
10 Management Statement due on March 22, 2018. (D.I. 79.)

11 In view of the foregoing, and to avoid unnecessary expenditure of judicial resources, the  
12 parties concur that good cause exists to stay upcoming deadlines in this case pending resolution  
13 of the arbitration proceedings. Therefore, the parties request that the Court postpone the Case  
14 Management Conference and reset the due date for the Case Management Statement to  
15 correspond with that rescheduled Conference. The parties request that a Case Management  
16 Conference be set at the Court’s convenience in **November 2018**.

17 WHEREFORE, the parties respectfully request that, for good cause shown, the Court  
18 grant this stipulated request.

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1 Dated: March 20, 2018

Respectfully submitted,

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3 LATHAM & WATKINS LLP

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**SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I hereby attest that concurrence in filing has been obtained from the other signatories indicated by a “conformed” signature (/s/) within this e-filed document.

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

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**[PROPOSED] ORDER**

Pursuant to Stipulation, the Court's Order dated January 26, 2018 (ECF No. 79) setting a date for the Case Management Conferences is hereby VACATED. The Case Management Conference is reset for ~~November~~ September 13, 2018 at 9:30 a.m.

Date: \_\_\_\_\_ 3/21/18 \_\_\_\_\_

