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11 ABBOTT LABORATORIES and
12 ABBOTT DIABETES CARE, INC.

AGAMATRIX, INC.

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN JOSE DIVISION**

18 ABBOTT LABORATORIES and
19 ABBOTT DIABETES CARE, INC.,

Plaintiffs,

20 vs.

21 AGAMATRIX, INC.,

22 Defendant.

CASE NO. C 06 07268-JF

**STIPULATED REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE
[AND ~~PROPOSED~~ ORDER]**

Crtrm: 3 (Hon. Jeremy D. Fogel)

1 On September 30, 2010 counsel for the parties appeared before this Court in a case
2 management conference. At this hearing the parties notified this Court that they were nearing
3 settlement and requested a brief delay in certain dates to permit them time to reach an agreement.
4 This Court postponed the claim construction hearing approximately one month to December 6,
5 2010, suspended the claim construction briefing schedule, and ordered a further case management
6 conference on October 15, 2010.

7 The parties have made progress since the September 30 hearing, and continue to work
8 diligently toward settlement. There remain, however, a few issues to be resolved in the drafting
9 of a final agreement. The parties believe that these issues can be resolved with a little additional
10 time. To permit the parties time to resolve these remaining issues the parties jointly request the
11 October 15, 2010 case management conference be continued to November 11, 2010 at 11:00 am,
12 or such other time thereafter as the Court sets. The parties recognize that the claim construction
13 hearing and briefing schedule will need to be reset at that time should the case not settle.

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DATED: October 14, 2010

MUNGER, TOLLES & OLSON, LLP
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IAN MILLER
CHANTAL MORGAN D'APUZZO

By: /s/ Rohit Singla
ROHIT SINGLA

Attorneys for Plaintiffs
ABBOTT LABORATORIES
and ABBOTT DIABETES CARE INC.

DATED: October 14, 2010

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABBOTT DIABETES CARE INC.
AND ABBOTT LABORATORIES,

Plaintiffs,

vs.

AGAMATRIX, INC.,

Defendant.

CASE NO. C 06-07268-JF

**[PROPOSED] ORDER GRANTING
STIPULATED REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE [AS MODIFIED]**

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Good cause appearing, the case management conference is continued to November 11, 2010 at 11:00 am.

IT IS SO ORDERED.

Dated: October 14, 2010



Honorable Jeremy Roy
United States District Judge