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Attorneys for Defendant,
PDL BIOPHARMA, INC.

17 UNITED STATES DISTRICT COURT
 18
 19 NORTHERN DISTRICT OF CALIFORNIA
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 21 SAN JOSE DIVISION

21 MEDIMMUNE, LLC,
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 Plaintiff,
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 v.
 24 PDL BIOPHARMA, INC.,
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 Defendant.
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Case No. CV 08 5590 JF
 Action Filed: December 16, 2008
**STIPULATION AND PROPOSED
 ORDER REGARDING
MARKMAN HEARING SCHEDULE**

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff MedImmune,
2 LLC. (“MedImmune”) and Defendant, PDL BioPharma, Inc. (“PDL”). (each, a “Party” and
3 collectively, the “Parties”) to the above-captioned litigation (the “Litigation”) as follows:
4

5 Whereas, the *Markman* hearing and technology tutorial in the Litigation is currently
6 scheduled for September 28, 2009, and the parties have estimated that they will collectively last
7 approximately four hours. D.I. 106, 120, 123.

8 Whereas, it has recently come to the attention of counsel for Plaintiff MedImmune, LLC
9 that the Jewish holiday of Yom Kippur will be observed on September 28, 2009, which will
10 prevent it from attending and participating in the hearing on the scheduled date.

11 Whereas, Counsel for Defendant PDL Biopharma, Inc. has agreed to reschedule the
12 hearing to accommodate this conflict.

13
14 Whereas, the parties have conferred and concluded that they are available to participate in
15 a *Markman* hearing and technology tutorial on either October 1 or October 2, 2009, subject to the
16 Court’s schedule.

17 Therefore, the parties stipulate and agree that the *Markman* hearing and technology
18 tutorial in the litigation be continued until October 1, 2009, October 2, 2009, or such other date on
19 which the Court is available.
20

21
22 DATED: July 2, 2009

WILLIAMS & CONNOLLY LLP

23
24 /s/

GERSON A. ZWEIFACH
PAUL B. GAFFNEY
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27 Attorneys for Plaintiff
28 MEDIMMUNE, LLC

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DATED: July 2, 2009

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_____/s/
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Attorneys for Defendant
PDL BIOPHARMA, INC.

ATTESTATION OF FILER CONCERNING SIGNATURE

In accordance with general Order No. 45, Section X, the filer of this document hereby attests that concurrence in the filing of this document has been obtained from each of the signatories listed above.

DATED: July 2, 2009

HOWARD RICE NEMEROVSKI CANADY FALK &
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A Professional Corporation

By: _____/s/
JEFFREY E. FAUCETTE


Attorneys for Plaintiff
MEDIMMUNE, LLC

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~~[PROPOSED]~~ ORDER

The *Markman* hearing and technology tutorial is hereby continued to October 1,
2009 at 9:00 am/pm.

DATED:



THE HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT COURT JUDGE
FOR THE NORTHERN DISTRICT OF
CALIFORNIA