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8 Attorneys for Defendant and Counterclaimant  
 THE TRUSTEES OF THE UNIVERSITY OF  
 9 PENNSYLVANIA

10 **IN THE UNITED STATES DISTRICT COURT**  
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN JOSE DIVISION**

13 GENENTECH, INC.,  
 14 Plaintiff and Counterclaim  
 15 Defendant  
 16 v.  
 17 THE TRUSTEES OF THE UNIVERSITY OF  
 18 PENNSYLVANIA,  
 19 Defendant and Counterclaimant

Case No. 5:10-cv-02037-LHK (PSG)  
 Hon. Paul S. Grewal  
 .  
 Dept: Courtroom 5, Fourth Floor  
 Date Comp. Filed: May 11, 2010  
 Trial Date: None Set.

~~PROPOSED~~ **ORDER GRANTING  
 GENENTECH'S ADMINISTRATIVE  
 MOTION TO FILE UNDER SEAL  
 EXHIBITS TO ITS MOTION TO  
 COMPEL ADDITIONAL DEPOSITION  
 TIME WITH DR. GREENE**

1 As set forth in Genentech's Administrative Motion To File Under Seal (A) Portions of  
2 Plaintiff's Motion to Compel Additional Deposition Time and (B) Certain Exhibits Thereto,  
3 Genentech has lodged with the Court the underlying letter brief and Exhibits D, O, P, R, S, T, U,  
4 V, W, and X. For the reasons set forth in the motion and the University's later filed declaration  
5 supporting seal for portions of Exhibits D, V, W, and X, and for good cause shown, Genentech's  
6 motion is GRANTED IN PART and DENIED IN PART as follows:

- 7 • Genentech's brief shall be filed in the public record.
- 8 • Exhibits O, P, R, and S thereto shall also be filed in the public record.
- 9 • A version of Exhibit D shall be filed in the public record, provided that the line of  
10 text in Exhibit D over which the University is claiming privilege shall be redacted  
11 before Exhibit D is filed.
- 12 • A version of Exhibit V shall be filed in the public record, subject to it being  
13 redacted so as to omit or redact uncited material including specifically that  
14 contained on page 241, line 8 to 242, line 25.
- 15 • Versions of Exhibits W and X shall be filed in the public record, subject to pages  
16 and passages that are not specifically cited in Genentech's brief being first removed  
17 and/or redacted.

18 **IT IS SO ORDERED.**

19  
20 DATED: \_\_\_\_

*Paul S. Amdur*