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ABAXIS, INC.

Attorneys for Defendant and Counterclaimant
CEPHEID

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)

ABAXIS, INC.,

Plaintiff and Counter-Defendant,

v.

CEPHEID,

Defendant and Counter-Claimant.

Civil Case No. 10-2840 LHK (HRL)

**STIPULATION AND [PROPOSED]
ORDER MODIFYING SCHEDULE FOR
EXPERT DEPOSITION**

Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiff-Counterdefendant Abaxis Inc. (“Abaxis”) and Defendant-Counterclaimant Cepheid (“Cepheid”) respectfully submit the following Stipulation and Proposed Order.

In order to accommodate the schedule of Cepheid’s damages expert, the parties in the above-captioned matter hereby stipulate to extend the deadline to depose this expert from May 4, 2012 to May 29, 2012. All other dates in this case shall be unaffected.

1 Pursuant to Civil Local Rule 6-2, the previous time modifications in this case include the
2 Stipulation and Order Extending (1) Cepheid's Time to File Its Answer and Amended
3 Counterclaims to Amended Complaint, and (2) Abaxis' Time to File Its Response to
4 Counterclaims (Dkt No. 28), the Stipulation and Order Modifying Case Schedule (Dkt. No. 31);
5 the Stipulation and Order Continuing Hearing and Case Management Conference (Dkt. No. 38);
6 the Minute Order and Case Management Order (Dkt. No. 44); the Stipulation and Order Extending
7 Deadlines for Mediation and Joint Case Management Statement (Dkt. No. 65); the Order
8 Regarding Case Schedule and Briefing of Motion to Dismiss (Dkt. No. 67); the Minute Order and
9 Case Management Order (Dkt. No. 84); the Stipulation and Order Extending Time for Abaxis to
10 Respond to Cepheid's Motion for Partial Summary Judgment (Dkt. No. 90); the Minute and Order
11 and Case Management Order (Dkt. No. 110); the Minute Order and Case Management Order (Dkt.
12 No. 133); the Order re Expediting Briefing Schedule (Dkt. No. 145); and the Order Modifying
13 Schedule for Expert Reports (Dkt. No. 162).

14 **IT IS SO STIPULATED.**

15
16 Dated: April 27, 2012

Dated: April 27, 2012

17 COOLEY LLP

FISH & RICHARDSON PC

18 /s/ Ricardo Rodriguez

/s/ Steven C. Carlson

19 Ricardo Rodriguez (Bar No. 173003)

Steven C. Carlson (Bar No. 206451)

20 Bryan Boyle (Bar No. 253725)

Limin Zheng (Bar No. 226875)

Attorneys for Plaintiff and Counterdefendant

Attorneys for Defendant and Counterclaimant

21 ABAXIS INC.

CEPHEID

22
23 **[PROPOSED] ORDER**

24 Pursuant to the stipulation of the parties and good cause appearing therefore;

25 **IT IS SO ORDERED.**

26 Dated: April 30, 2012


27 Lucy H. Koh
Lucy H. Koh
28 United States District Judge