

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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12 Attorneys for Defendants
 GLAXO GROUP LIMITED,
 13 GLAXOSMITHKLINE LLC, and
 GLAXOSMITHKLINE HOLDINGS
 14 (AMERICAS) INC.

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17 SAN JOSE DIVISION

18 XENOPORT, INC., a Delaware corporation,
 Plaintiff,
 19 vs.
 20 GLAXO GROUP LIMITED, a U.K. corporation,
 and GLAXOSMITHKLINE, LLC, a Delaware
 21 limited liability company, and
 22 GLAXOSMITHKLINE HOLDINGS
 (AMERICAS) INC., a Delaware corporation,
 23 Defendants.
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Case No. 5:12-cv-01544-EJD-PSG
 MODIFIED
**STIPULATION AND [PROPOSED]
 ORDER RE HEARING DATE FOR
 DEFENDANTS GLAXO GROUP LIMITED,
 GLAXOSMITHKLINE LLC, AND
 GLAXOSMITHKLINE HOLDINGS
 (AMERICAS) INC.'S MOTION FOR
 PROTECTIVE ORDER**

Compl. Filed: February 24, 2012

Hon. Paul Singh Grewal, Magistrate
Courtroom: 5 – 4th Floor

STIPULATION

1
2 Defendants Glaxo Group Limited, GlaxoSmithKline LLC, GlaxoSmithKline Holdings
3 (Americas) Inc. (“Defendants”) and Plaintiff XenoPort, Inc. (“Plaintiff”), by and through their
4 respective counsel of record, pursuant to Civil Local Rules 6-1, 6-2, 7-12, and Section II. A. of
5 Magistrate Judge Paul S. Grewal’s Standing Order, hereby stipulate and agree as follows:

6 WHEREAS, on Monday, June 25, 2012, Defendants will file a Motion for Protective Order
7 (“Motion”);

8 WHEREAS, Local Rule 7-2 provides, in pertinent part, all motions must be filed, served and
9 noticed in writing on the motion calendar of the assigned Judge for hearing not less than 35 days
10 after service of the motion.

11 WHEREAS, Local Rule 7-3 provides, in pertinent part, that any opposition to the Motion
12 must be served and filed not more than fourteen (14) days after the Motion is served and filed and
13 any reply must be served and filed not more than seven (7) days after the opposition is served and
14 filed,

15 WHEREAS, Section II. A. of Magistrate Judge Grewal’s Standing Order requires either a
16 stipulation pursuant to Local Rule 6-2 or a motion pursuant to Local Rule 6-3 for any request to have
17 a discovery motion heard on a shortened time,

18 NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

- 19 1. Defendants shall file their Motion for Protective Order on Monday, June 25, 2012;
20 2. Plaintiff shall file its opposition to the Motion no later than Friday, June 29, 2012 at
21 5:00 P.M. Pacific Standard Time;

22 3. ~~Defendants shall file their reply, if any, in support of their Motion no later than six~~
23 ~~Monday, July 2, 2012, and~~ No reply will be considered.

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4. Defendants' Motion for Protective Order shall be heard by this Court on **Tuesday, July 3, 2012** at 10:00 a.m.

IT IS SO STIPULATED.

DATED: June 25, 2012.

REED SMITH LLP

By 

Lorenzo E. Gasparetti
Raymond A. Cardozo
Michelle Lyu Cheng
Attorneys for Defendants
GLAXO GROUP LIMITED,
GLAXOSMITHKLINE LLC, and
GLAXOSMITHKLINE HOLDINGS
(AMERICAS) INC.

DATED: June 25, 2012.

MORRISON & FOERSTER LLP

By /s/ Mark W. Danis

Harold J. McElhinny
Mark W. Danis
Eric C. Pai
Attorneys for Plaintiff
XENOPORT, INC.

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ORDER

Defendants' Motion for Protective Order shall be heard by this Court on **Tuesday, July 3, 2012** at 10:00 a.m. The Parties shall follow the abbreviated briefing schedule as stipulated. Specifically, Defendants shall file their Motion for Protective Order on Monday, June 25, 2012; Plaintiff's opposition to the Motion shall be filed no later than Friday, June 29, 2012 at 5:00 P.M. Pacific Standard Time; ~~and Defendants shall file their reply, if any, in support of their Motion no later than on Monday, July 2, 2012.~~

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 26, 2012.



The Honorable Paul S. Grewal
United States Magistrate Judge