

EXHIBIT A

17

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PSN Illinois, LLC,

Plaintiff,

vs.

Sigma-Aldrich Corp., EMD Chemicals
Inc., VWR International LLC, Orbigen,
Inc., Axxora Life Sciences, Inc.,
Cayman Chemical Company, Inc.,
Origene Technologies, Inc., Superarray
Bioscience Corp., Tocris Bioscience, and
Millipore Corp.,

Defendants.

Case No. 08 cv 3742

Judge Rebecca R. Pallmeyer

Magistrate Judge Maria Valdez

ORDER

THIS CAUSE being before the Court on Plaintiff's Motion for a Default Judgment, notice being provided to the defendant, Abcam, Inc. and the Court being fully advised,

It is hereby ordered:

1. Defendant, Orbigen, Inc. is found to be in default.
2. Judgment is entered against Orbigen, Inc. per the attached Consent Judgment Order.
3. Plaintiff is ordered to file a motion to prove up its damages within 10 days.

ENTERED: Rebecca R. Pallmeyer
Oct. 2, 2008
Honorable Judge Pallmeyer

Michael P. Mazza
Dana Lauren Drexler
Michael P. Mazza, LLC.
686 Crescent Blvd
Glen Ellyn, IL 60137
Tel: 630-858-5071

Shawn M. Collins
Robert L. Dawidiuk
The Collins Law Firm
1770 N. Park Street, Suite 200
Naperville, IL 60563
Tel: 630-527-1595

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PSN Illinois, LLC,

Plaintiff,

vs.

Sigma-Aldrich Corp., EMD Chemicals
Inc., VWR International LLC, Orbigen,
Inc., Axxora Life Sciences, Inc.,
Cayman Chemical Company, Inc.,
Origene Technologies, Inc., Superarray
Bioscience Corp., Tocris Bioscience, and
Millipore Corp.,

Defendants.

08cv3742
Case No. 08 cv 3742

Judge Rebecca R. Pallmeyer

Magistrate Judge Maria Valdez

**CONSENT JUDGMENT ORDER
AS TO DEFENDANT ORBIGEN, INC.**

This action has come before the Court upon the pleadings and proceedings of record, and it has been represented to the Court that the parties, plaintiff PSN Illinois, LLC ("PSN") and defendant Orbigen, Inc. ("Orbigen"), collectively "the Parties," have agreed to a compromise and settlement of this action in which Orbigen has agreed to the entry of this judgment;

WHEREFORE, with the consent of the Parties, through their undersigned attorneys, and with the approval of this Court, it is hereby finally ORDERED, ADJUDGED AND DECREED as follows:

1. The Court has jurisdiction over the parties and the subject matter of this action.
2. PSN owns and has standing to sue for infringement of United

States Patent No. 5,856,443, entitled "Molecular Cloning And Expression of G-Protein Coupled Receptors," issued on Jan. 5, 1999, and United States Patent No. 6,518,414B1, entitled "Molecular Cloning And Expression of G-Protein Coupled Receptors," issued on Feb. 11, 2003 ("PSN's Patents").

3. No payment for or release of infringing products which may have been used by any third parties is provided here, and PSN is free to pursue its damages claim in this action against such third parties.

4. To the best of its current knowledge and belief, Orbigen believes PSN's patents are valid and enforceable.

5. PSN's Patents have been infringed by Orbigen through Orbigen's use, sale and/or offer for sale of products and services utilizing Sphingosine 1-Phosphate Receptor 2/ aka Edg 5/ aka P^{H218} ("S1P2") that fall within the scope of claims of PSN's Patents, including the following Orbigen products:

- i. Rabbit Endothelial differentiation sphingolipid G-protein-coupled receptor 5 (EDG5) polyclonal antibody (Catalog # PAB-10630); and
- ii. Chicken Endothelial differentiation sphingolipid G-protein-coupled receptor 5 (EDG5) polyclonal antibody (Catalog # PAB-U0005).


6. Orbigen agrees to and hereby waives and relinquishes the right to ever contest the validity or enforceability of either of PSN Patents and any of their claims in their present form, whether such assertion of invalidity or unenforceability would be made in a court proceeding or Patent Office proceeding, and whether or not such assertion is made with respect to the infringing products in this action or with respect to

any other products that may be made, used, sold and/or offered for sale by Orbigen in the future.

7. All claims and defenses of each of the Parties are hereby dismissed with prejudice.

8. The parties shall each bear their own costs and attorney fees incurred in this action, and the Court shall retain jurisdiction to enforce the terms of this Consent Judgment Order and the Settlement Agreement between the parties concerning this action.

Dated: Oct. 2, 2008


Honorable Rebecca R. Fallmeyer
United States District Court Judge

Mr. Terry Huang,
On behalf of
Orbigen, Inc.
4356 Corte Al Fresco
San Diego, CA 92130
Fax: (858) 400-7499

ORBIGEN, INC.

Michael P. Mazza
Dana L. Drexler
Michael P. Mazza, LLC
686 Crescent Blvd.
Glen Ellyn, IL 60137
Tel: 630-858-5071
Fax: 630-282-7123

Shawn M. Collins
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1770 N. Park Street, Suite 200
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*ATTORNEYS FOR THE PLAINTIFF,
PSN ILLINOIS, LLC*

EXHIBIT B



6827 Nancy Ridge Drive
San Diego, CA 92121
Sales 1.866.ORBIGEN
Tech 858.457.5423
Fax 858.362.2030

File
Orbigen
C/MacLennan

July 16, 2008

Michael P. Mazza, LLC
686 Crescent Boulevard
Glen Ellyn, IL 60137

Dear Mr. Mazza,

Regarding Case Number 08-cv-03742, in which Orbigen is sued for infringement of a patent held by PSN Illinois, LLC. I believe we must have used portions of the sequence that is under such patent in the synthesized peptides we used to produce polyclonal antibodies for sales to the research community. (Catalog Number PAB-10630 and PAB-U0005)

Although the founder of this company has left about three years ago, I know we had produced a few hundred polyclonal antibodies in year 2003. We have not been producing any antibody since. I believe the founder has no intention to infringe any intellectual properties of others and that they must have crossed the line without knowledge. In the past, from December 2003 till 3/21/07, we have had sales of \$2,134 from these two products. There have been no sales since 3/22/07. Upon receiving the summons, I have removed the two products from our product offering. As a very small company without any intention to infringe any intellectual properties of others, I hope this action may satisfy a settlement. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Huang'.

Terry Huang
President
Orbigen, Inc.

cc. Michael W. Dobbins, Clerk
United States District Court

EXHIBIT C



Michael P. Mazza, LLC
686 Crescent Blvd., GlenEllyn, IL 60137-4281
Phone: 630 858 5071
Fax: 630 858 0373 / 630 282 7123
E-mail: mazza@mazzallc.com
website: mazzalawfirm.com

October 8, 2008

Via Facsimile

Mr. Terry Huang, on behalf of
Orbigen, Inc.
4356 Corte Al Fresco
San Diego, CA 92130

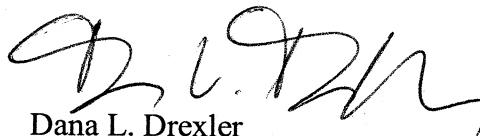
Re: *PSN Illinois, LLC v. Sigma-Aldrich Co., et al.*
In the United States District Court, Northern District of Illinois
Case No. 08-C-3742; Judge Pallmeyer; Magistrate Judge Valdez

Dear Mr. Huang:

Attached please find the Default Order entered in the above referenced matter against Orbigen, Inc. ("Orbigen"). On behalf of PSN, Illinois LLC we must file a motion regarding damages by October 12, 2008. At this time, we only have a statement by you that Orbigen's sales of the alleged infringing products have totaled \$2,134.00 for the last six (6) years. Please forward as soon as possible, and no later than close of business on October 11th, documentation that confirms Orbigen's sales of the alleged infringing products.

Please call or fax our office as soon as you receive this letter to confirm receipt.

Sincerely,



Dana L. Drexler

DLD/mla
Enclosures

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PSN Illinois, LLC,)	
)	CASE NO. 08 CV 3742
PLAINTIFF,)	
)	JUDGE REBECCA R. PALLMEYER
vs.)	
)	MAGISTRATE JUDGE MARIA VALDEZ
Sigma-Aldrich Corp., EMD Chemicals)	
Inc., VWR International LLC, Orbigen,)	
Inc., Axxora Life Sciences, Inc.,)	
Cayman Chemical Company, Inc.,)	
Origene Technologies, Inc., Superarray)	
Bioscience Corp., Tocris Bioscience, and)	
Millipore Corp.,)	
)	
DEFENDANTS.)	

ORDER

THIS CAUSE being before the Court on Plaintiff's Motion to Prove Up Damages Against Orbigen, Inc., notice being provided to the defendant, Orbigen, Inc. and the Court being fully advised,

It is hereby ordered:

1. Defendant, Orbigen, Inc. is ordered to provide corroborating sales information to PSN Illinois, LLC.
2. Orbigen, Inc. is ordered to pay PSN Illinois, LLC a reasonable royalty of 20% of the corroborated sales figures.
3. Defendant, Orbigen, Inc. is ordered to pay \$5,000.00 in legal fees to PSN Illinois, LLC.

ENTERED: _____

Honorable Judge Pallmeyer

Michael P. Mazza
Dana L. Drexler
Michael P. Mazza, LLC.
686 Crescent Blvd
Glen Ellyn, IL 60137
Tel: 630-858-5071

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