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MANUFACTURING, LIMITED

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

22 SANDOZ INC.,
23 Plaintiff,
24 v.
25 AMGEN INC. and AMGEN
26 MANUFACTURING, LIMITED,
27 Defendants.

Case No. 3:19-cv-00977-RS

**STIPULATION AND ORDER
EXTENDING BRIEFING SCHEDULE
FOR AMGEN'S MOTION TO
DISMISS**

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Sandoz Inc. (“Sandoz”) and
2 Defendants Amgen Inc. and Amgen Manufacturing, Limited (collectively, “Amgen”), through
3 their undersigned counsel, hereby stipulate as follows:

4 WHEREAS, Amgen filed a Motion to Dismiss (ECF No. 22) on April 24, 2019;

5 WHEREAS, under the existing briefing schedule, Sandoz’s opposition to the motion to
6 dismiss is due today, May 8, 2019, and Amgen’s reply is due May 15, 2019;

7 WHEREAS, today the Court of Appeals for the Federal Circuit issued its opinion in the
8 appeal from the related cases *Amgen Inc. v. Sandoz Inc.*, Case No. 3:14-cv-04741-RS, and *Amgen*
9 *Inc. v. Sandoz Inc.*, Case No. 3:16-cv-02581-RS;

10 WHEREAS, a short extension of the briefing schedule on the motion to dismiss would
11 allow the parties to consider and account for the Federal Circuit opinion before submitting their
12 opposition and reply briefs;

13 WHEREAS, the parties believe the proposed extension is sufficiently short that it would
14 still provide the Court with sufficient time between the completion of briefing and the hearing on
15 the motion to dismiss;

16 NOW, THEREFORE, the parties hereby jointly request that the Court extend the time for
17 Sandoz to file its opposition to May 13, 2019 and for Amgen to file its reply to May 20, 2019.

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21 Dated: May 8, 2019

MORRISON & FOERSTER LLP

22 By: /s/ Erik J. Olson
23 Erik J. Olson

24 Attorneys for Plaintiff
25 SANDOZ INC.
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Dated: May 8, 2019

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: /s/ Nicholas Groombridge
Nicholas Groombridge

Attorneys for Defendants
AMGEN INC. and AMGEN
MANUFACTURING, LIMITED

SIGNATURE ATTESTATION


Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing of
this document has been obtained from each of the other Signatories shown above.

Dated: May 8, 2019

By: /s/ Erik J. Olson
Erik J. Olson

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 8, 2019



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE