

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GENENTECH, INC. and)	
CITY OF HOPE,)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 17-1407-CFC
)	
AMGEN INC.,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	

GENENTECH, INC. and)	
CITY OF HOPE,)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 18-924-CFC
)	
AMGEN INC.,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	


ORDER

Whereas the Court has read the parties' Joint Status Reports submitted on June 24, 2019 and the parties' letters submitted on July 3, 2019; and

Whereas the Court has determined that live expert testimony will be necessary to resolve the issue of indefiniteness with respect to the "following fermentation" claim limitation;

IT IS HEREBY ORDERED that:

1. The Court will convene a hearing on **October 7, 2019 at 9:00 a.m.**, at which time the parties may adduce expert testimony and make argument with respect to the issue of whether the “following fermentation” claim limitation is indefinite; and
2. Each side may submit by no later than **September 27, 2019**:
 - a. A letter of no more than 1,000 words in 14-point font in support of its position with respect to the indefiniteness issue; and
 - b. An expert declaration in support of same.


United States District Judge