

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENENTECH, INC.,

Plaintiff,

v.

AMGEN INC.

Defendant.

Case No. 18-924-CFC

**STIPULATION AND [PROPOSED] SCHEDULE FOR PRETRIAL
EXCHANGE**

Genentech, Inc. ("GNE") and Amgen Inc. hereby stipulate, subject to the approval of the Court, to the following schedule for Pretrial Exchange:

Pretrial Item	Date Genentech Will Provide	Date Amgen Will Provide
Proposed Jury Instructions (Del. L.R. 51.1(a))	January 10, 2020	No later than 11am PT, January 21, 2020 (redline of GNE draft)
Meet and confer re jury instructions	By Jan 23, 2020 (per Nov. 21 Oral Order)	
Final jury instructions	Jan. 27, 2020	
File Jury Instructions	Jan 30, 2020 (per Nov. 21 Oral Order)	
Proposed Voir Dire (Del. L.R. 47.1)	February 10, 2020	February 24, 2020 (redline of GNE draft)
Proposed Special Verdict Form (Del. L.R. 51.1(c))	February 10, 2020	February 24, 2020 (redline of GNE draft)
Draft of PTO	February 28, 2020 (Del. L.R. 16.3 (d)(1))	March 16, 2020 (redline of GNE draft)

Initial Exhibit List (Del. L.R. 16.3(c)(6)) and PDF Copies of Exhibits¹	February 28, 2020	March 3, 2020
Witness List (Del. L.R. 16.3(c)(7))	February 28, 2020	March 3, 2020
Deposition Designations (Del. L.R. 16.3(c)(7))	Mutual Exchange March 10, 2020	
Exchange MILS	Mutual Exchange March 13, 2020	
Objections to Deposition Designations and Deposition Counter designations	Mutual Exchange March 17, 2020	
Objections to Exhibits; Counter-exhibits (Del. L.R. 16(c)(6)) and PDF Copies of Exhibits	Mutual Exchange March 17, 2020	
Exchange MIL/ Responses	Mutual Exchange March 20, 2020	
Objections to Deposition Counter-designations; objections to counter-exhibits	Mutual Exchange March 23, 2020	
Meet and Confer re PTO	March 23, 2020 (per Nov. 21 Oral Order)	
Genentech Final PTO to Amgen	March 26, 2020 (per Nov. 21 Oral Order)	
Exchange MIL/Replies	Mutual Exchange March 27, 2020	
File Final PTO	March 30, 2020 (per Nov. 21 Oral Order)	
File Voir Dire and Special Verdict Form	March 30, 2020	
File Daubert Motions	April 1, 2020	
Supplementation of Exhibit List for updated	Mutual Exchange April 7, 2020	

¹ In addition to PDF copies of exhibits, the parties will exchange native (Excel) versions of their exhibit lists.

sales and financial data and documents	
Objections to Exhibits Added to Exhibit List Supplement	Mutual Exchange April 10, 2020
File Daubert Responses	April 8, 2020
File Daubert Replies	April 13, 2020
Pretrial Conference	April 14, 2020, 4:00PM (unchanged)
Trial Commences	April 20, 2020, 9:00AM (unchanged)

MCCARTER & ENGLISH, LLP

/s/ Daniel M. Silver

Michael P. Kelly (#2295)

Daniel M. Silver (#4758)

Alexandra M. Joyce (#6423)

Renaissance Centre

405 N. King Street, 8th Floor

Wilmington, DE 19801

(302) 984-6300

mkelly@mccarter.com

dsilver@mccarter.com

ajoyce@mccarter.com

SMITH KATZENSTEIN & JENKINS
LLP/s/ Neal C. Belgam

Neal C. Belgam (#2721)

Eve H. Ormerod (#5369)

Jennifer M. Rutter (#6200)

1000 West Street, Suite 1501

Wilmington, DE 19801

(302) 652-8400

nbelgam@skjlaw.com

eormerod@skjlaw.com

jrutter@skjlaw.com

*Attorneys for Plaintiff Genentech, Inc.**Attorneys for Defendant Amgen Inc.*

Dated: January 21, 2020

SO ORDERED this 23rd day of January, 2020.
United States District Judge