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SANDOZ INC.

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 AMGEN INC. and AMGEN
13 MANUFACTURING, LIMITED,

14 Plaintiffs,

15 v.

16 SANDOZ INC., SANDOZ INTERNATIONAL
17 GMBH, and SANDOZ GMBH,

18 Defendants.

Case No. 3:14-cv-04741-RS

**STIPULATED REQUEST AND
[PROPOSED] ORDER TO EXTEND
DEADLINES ON MOTION FOR
PRELIMINARY INJUNCTION**

19 Pursuant to Civil Local Rule 6-2(a), Plaintiffs Amgen Inc. and Amgen Manufacturing
20 Limited (“Amgen”) and Defendant Sandoz Inc. (“Sandoz”), through their undersigned counsel,
21 hereby stipulate as follows:

22 WHEREAS, Amgen filed a Motion for a Preliminary Injunction (“Amgen’s Motion”) on
23 February 5, 2015 (ECF No. 56);

24 WHEREAS, the current deadline for Sandoz’s opposition to Amgen’s Motion is February
25 19, 2015 and the current deadline for Amgen’s reply brief is February 24, 2015;

26 WHEREAS, pursuant to the February 5, 2015 Scheduling Order (ECF No. 55), the parties
27 have met and conferred regarding an alternate briefing schedule for Amgen’s Motion;

28 WHEREAS, Amgen and Sandoz have agreed to an alternate briefing schedule; and

1 WHEREAS, the instant request will not have any effect on the remaining schedule for the
2 case.

3 Pursuant to Local Rule 6-2(a), the parties hereby request a Court Order setting the
4 following dates:

- 5 • **February 24, 2015** — Sandoz’s opposition to Amgen’s Motion, including witness
6 declarations
- 7 • **March 3, 2015** — Close of deposition period for Sandoz’s witnesses in opposition
8 to Amgen’s Motion
- 9 • **March 6, 2015** — Amgen’s reply brief
- 10 • **March 13, 2015, 10:00 a.m.** — Hearing on Amgen’s Motion and the parties’
11 motions for judgment on the pleadings (subject to the Court’s availability)

12 Sandoz agrees that it will not launch its biosimilar filgrastim product in the United States
13 until the earlier of April 10, 2015, or a ruling in Sandoz’s favor on Amgen’s Motion. As
14 previously agreed, should the Court rule in favor of Sandoz on Amgen’s Motion before April 10,
15 2015, Sandoz shall provide Amgen five days’ advance notice of Sandoz’s launch. The parties
16 further agree that should either party appeal the decision of this Court, the parties will jointly seek
17 an expedited briefing schedule in the Federal Circuit and will jointly request expedited review of
18 the Federal Circuit’s decision.

19 Dated: February 19, 2015

MORRISON & FOERSTER LLP

21 By: /s/Rachel Krevans
Rachel Krevans

22 Attorneys for Defendant
23 SANDOZ INC.

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SIDLEY AUSTIN LLP

By: /s/Vernon Michael Winters
Vernon Michael Winters

Attorneys for Plaintiffs
AMGEN INC. and AMGEN
MANUFACTURING, LIMITED

PAUL, WEISS, RIFKIND, WHARTON &
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By: /s/Nicholas Groombridge
Nicholas Groombridge

Attorneys for Plaintiffs
AMGEN INC. and AMGEN
MANUFACTURING, LIMITED

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ECF ATTESTATION

I, Rachel Krevans, am the ECF User whose ID and Password are being used to file this document. I attest that concurrence in the filing of this document has been obtained from the signatories.

Dated: February 19, 2015

MORRISON & FOERSTER LLP

By: /s/Rachel Krevans
Rachel Krevans

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2015

THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE