

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Agilent Technologies, Inc.,

NO. C 06-05958 JW

Plaintiff,

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

v.

Affymetrix, Inc.,

Defendant.

On January 8, 2007, the Court conducted a Case Management Conference. In attendance were Richard Smith and Tina Hulse of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP for Plaintiff and Stephen C. Holmes of Affymetrix, Inc. for Defendant. The Court orders as follows:

1. The parties shall submit a joint statement of the history of the case by May 11, 2007.
2. The Court will conduct an interim Case Management Conference on **June 11, 2007 at 10 AM**. The parties shall submit a Joint Case Management Statement by June 1, 2007.
3. The Court will conduct a tutorial on **July 13, 2007 from 9 AM to 12 noon**. At this hearing, the Court will also hear motions regarding: (1) the standard of review in this

case and (2) whether a bench trial or a jury trial is appropriate. The parties shall submit briefing on these two issues by June 6, 2006.

4. A claim construction hearing is scheduled for **July 20, 2007 from 9 AM to 12 PM**. The parties are to meet and confer, and stipulate to a briefing schedule for claim construction pursuant to the Patent Local Rules.

Dated: January 9, 2007



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Michael J. Malecek Michael_malecek@affymetrix.com

Richard J. Smith rsmith@finnegan.com

3 Stephen C. Holmes Stephen_Holmes@Affymetrix.com

4 Tina E. Hulse tina.hulse@finnegan.com

5 **Dated: January 9, 2007**

Richard W. Wieking, Clerk

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7 **By: /s/ JW Chambers**

Elizabeth Garcia

Courtroom Deputy