

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

GENENTECH, INC. and CITY OF HOPE,  
Plaintiffs and Counterclaim Defendants,

C.A. No. 19-638-CFC

v.

PFIZER INC.,  
Defendant and Counterclaim Plaintiff.

PFIZER INC.,  
Counterclaim Plaintiff,

v.

HOFFMANN-LA ROCHE, INC.,  
Counterclaim Defendant.

**JOINT STIPULATION OF DISMISSAL**

This stipulation is made by and between Plaintiffs Genentech, Inc. and City of Hope (collectively, “Plaintiffs”), Defendant Pfizer Inc. (“Defendant”), and Counterclaim Defendant Hoffmann-La Roche, Inc. (all collectively, “the Parties”).

WHEREAS, Plaintiffs and Defendant have asserted various claims and counterclaims in the above-captioned case; and

WHEREAS, the Parties have entered into a settlement agreement, and mutually agree to voluntarily dismiss all claims and counterclaims asserted in the above-captioned case without prejudice;

NOW THEREFORE IT IS HEREBY JOINTLY STIPULATED by the Parties that:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all claims, counterclaims, and demands asserted in the above-captioned case are hereby dismissed without prejudice; and

2. Each party will bear its own attorneys' fees and costs with respect to the above-captioned case.

Dated: September 19, 2019

Respectfully submitted,

MCCARTER & ENGLISH LLP

HEYMAN ENERIO GATTUSO & HIRZEL 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  
Tel.: (302) 984-6300  
Fax: (302) 984-6399  
mkelly@mccarter.com  
dsilver@mccarter.com  
ajoyce@mccarter.com

*Attorneys for Plaintiffs/Counterclaim  
Defendants Genentech, Inc. and City of Hope  
and Counterclaim Defendant  
Hoffmann-La Roche, Inc.*

OF COUNSEL

Christopher N. Sipes  
Megan P. Keane  
Philip S. May  
Allison A. Schmitt  
COVINGTON & BURLING LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001  
(202) 662-6000

Alexa R. Hansen  
COVINGTON & BURLING LLP  
Salesforce Tower  
415 Mission Street  
San Francisco, CA 94105  
(415) 591-6000

Andrew Regan  
COVINGTON & BURLING LLP  
3000 El Camino Real  
5 Palo Alto Square, 10th Floor  
Palo Alto, CA 94306  
(650) 632-4700

/s/ Dominick T. Gattuso

Dominick T. Gattuso (# 3630)  
300 Delaware Avenue, Suite 200  
Wilmington, DE 19801  
Tel.: (302) 472-7300  
dgattuso@hegh.law

*Attorneys for Defendant Pfizer Inc.*

OF COUNSEL:

Thomas J. Meloro  
Michael W. Johnson  
Dan Constantinescu  
WILLKIE FARR & GALLAGHER LLP  
787 Seventh Avenue  
New York, NY 10019  
(212) 728-8000

Mary Swears  
COVINGTON & BURLING LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018  
(212) 841-1000

*Attorneys for Plaintiff/Counterclaim Defendant  
Genentech, Inc. and Counterclaim Defendant  
Hoffmann-La Roche, Inc.*

OF COUNSEL:

Daralyn J. Durie  
Adam R. Brausa  
Eric C. Wiener  
Eneda Hoxha  
DURIE TANGRI LLP  
217 Leidesdorff Street  
San Francisco, CA 94111  
(415) 362-6666

*Attorneys for Plaintiffs/Counterclaim  
Defendants Genentech, Inc. and City of Hope  
and Counterclaim Defendant  
Hoffmann-La Roche, Inc.*

SO ORDERED: \_\_\_\_\_

\_\_\_\_\_  
United States District Judge