Case 2:03-cv-02567-MRP-C1 Document 373 Filed 06/04/08 Page 1 0/3 Page 1D #:1370 KEKER & VAN NEST John W. Keker (SBN 49092) JS-6 1 Email: jkeker@kvn.com Daralyn J. Durie (SBN 169825) Email: ddurie@kvn.com 710 Sansome Street San Francisco, California 94111-1704 Telephone: (415) 391-5400 Facsimile: (415) 397-7188 SIDLEY AUSTIN LLP Edward G. Poplawski (SBN 113590) Email: poplawski@sidley.com Bryan K. Anderson (SBN 155830) Email: bkanderson@sidley.com 555 West Fifth Street, Suite 4000 Los Angeles, California 90013-1010 Telephone: (213) 896-6000 Facsimile: (213) 896-6600 11 Attorneys For Defendant GENENTECH, INC. 12 IRELL & MANELLA LLP David I. Gindler (SBN 117824) Email: dgindler@irell.com
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Laura W. Brill (SBN 195889) 13 14 Email: lbrill@irell.com 1800 Avenue of the Stars, Suite 900 Los Angeles, California 90067-4276 Telephone: (310) 277-1010 Facsimile: (310) 203-7199 17 18 Attorneys for Defendant CITY OF HOPE 19 UNITED STATES DISTRICT COURT 20 CENTRAL DISTRICT OF CALIFORNIA 21 WESTERN DIVISION 22 MEDIMMUNE, INC., Case No. CV03-2567 MRP (CTx) 23 STIPULATION AND ORDER OF Plaintiff. 24 DISMISSAL V. 25 GENENTECH, INC., et al., 26 27 Defendants. 28 -1-Stipulation and [Proposed] Order of Dismissal with Prejudice

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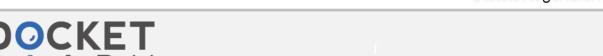
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1	IT IS HEREBY STIPULATED, by and between Plaintiff MedImmune, Inc.		
2	and Defendants Genentech, Inc. and City of Hope, through their respective counsel		
3	of record, that pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the		
4	claims in this action are dismissed with prejudice as they relate to the product		
5	identified in the First Amended Complaint as Synagis. To the extent that any claims		
6	in the First Amended Complaint relate to any other product, they are dismissed		
7	without prejudice. Each party shall bear its own legal expenses, including without		
8	limitation, attorneys' fees and costs.		
9	annuarion, accombys 100s and 00sts.		
10	Dated: June 3, 2008	KEKER & VAN NEST	
11	F	By: /s/ Daralyn J. Durie	
12		Daralyn J. Durie, Esq. 710 Sansome Street	
13	Ś	San Francisco, CA 94111-1704	
14	A	Attorneys For Defendant GENENTECH, INC.	
15		RELL & MANELLA LLP	
16	Dated. Julie 3, 2006	REEL & MANELLA LEI	
17		By: /s/ David I. Gindler	
18	I 1	David I. Gindler, Esq. 800 Avenue of the Stars, Suite 900	
19	1	Los Angeles, CA 90067-4276	
20	A	Attorneys For Defendant CITY OF HOPE	
21	Dated: June 3, 2008	WILLIAMS & CONNOLLY LLP	
22) / / D 1 D C CC	
23	F	By: <u>/s/ Paul B. Gaffney</u> Paul B. Gaffney, Esq. Paul Street, NW	
24	\tag{7}	Vashington, DC 20005-5901	
25	Į.	Attorneys For Plaintiff	
26	N	MEDIMMUNE, INC.	
27			
28	4		
	8 Stipulation and [Proposed] Order of Dismissal with Prejudice		
	5 CASE NO. CV 03-2567 MRP (CTx)		





Case 2	:03-cv-02567-MRP-C1		
1	ORDER		
2	Based on the foregoing stipulation of the parties, it is hereby ORDERED as follows: 1. Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the claims in this action are dismissed with prejudice as they relate to the product identified in the First Amended Complaint as Synagis. To the extent that any claims in the First Amended Complaint relate to any other product, they are dismissed without prejudice.		
3			
4			
5			
6			
7			
8			
9	2. Each party shall bear its own legal expenses, including without		
10	limitation, attorneys' fees and costs. IT IS SO ORDERED.		
11			
12			
13	Dated: June 04, 2008		
14	Mariana R. Pfalle		
15	HONORABLE MARIANA R. PFAELZER United States District Judge		
16	Office States District stage		
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	Stipulation and [Proposed] Order of Dismissal with Prejudice CASE NO. CV 03-2567 MRP (CTx)		
	17 CASE NO. 6 V 03-2507 WIRE (CTA)		



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