

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN FRANCISCO DIVISION  
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7 ILLUMINA, INC. and SEQUENOM, INC.,

8 Plaintiffs/Counterclaim-  
9 Defendants,

10 v.

11 ARIOSIA DIAGNOSTICS, INC., ROCHE  
12 SEQUENCING SOLUTIONS, INC. and  
13 ROCHE MOLECULAR SYSTEMS, INC.

14 Defendants/Counterclaim-  
15 Plaintiffs.

Case No. 3:18-cv-02847-SI

~~PROPOSED~~ FINAL JUDGMENT

1 Pursuant to Federal Rule of Civil Procedure 58, the Court hereby enters Final Judgment in  
2 this action as follows:

3 1. For the reasons stated in the Court's December 24, 2018 Order Granting  
4 Defendants' Motion for Summary Judgment (Docket No. 66), judgment is hereby entered in favor  
5 of defendants/counterclaim-plaintiffs Ariosa Diagnostics, Inc., Roche Sequencing Solutions, Inc.,  
6 and Roche Molecular Systems, Inc. (collectively, "Defendants").


7 2. Defendants' counterclaims, other than the counterclaims for a declaration of  
8 invalidity under 35 U.S.C. 101, are hereby dismissed without prejudice as moot.

9 3. The filing of any motions or other requests for attorneys' fees, costs, expenses,  
10 including without limitation taxable costs and/or non-taxable expenses, (the "Fee & Costs  
11 Motions"), shall be deferred until after the final resolution of all appeals and further proceedings in  
12 this action, and the deadlines for the filing of any such Fee & Costs Motions are hereby suspended,  
13 without prejudice, pending further order of the Court.

14 4. Upon the final resolution of all appeals and further proceedings in this action, the  
15 parties shall confer and submit a proposed schedule for the filing of any Fee & Costs Motions and  
16 related briefing. The parties reserve, and do not waive, all procedural and substantive rights with  
17 regard to any Fee & Cost Motions.

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20 **IT IS SO ORDERED AND ADJUDGED:**

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22 DATED: January 4, 2019

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25 The Honorable Susan Illston  
26 United States District Court Judge  
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