BRYAN WILSON (CA BAR NO. 138842)
ERIC C. PAI (CA BAR NO. 247604)
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: 650.813.5600
Facsimile: 650.494.0792
E-Mail: BWilson@mofo.com
E-Mail: EPai@mofo.com

DAVID C. DOYLE (CA SBN 70690)
STEVEN E. COMER (CA SBN 154384)
ANDERS T. AANNESTAD (CA SBN 211100)
MORRISON & FOERSTER LLP
12531 High Bluff Drive
Suite 100
San Diego, California 92130-2040
Telephone: 858.720.5100
Facsimile: 858.720.5125
E-Mail: DDoyle@mofo.com
E-Mail: SComer@mofo.com
E-Mail: AAannestad@mofo.com

Attorneys for Plaintiff
APPLERA CORPORATION – APPLIED BIOSYSTEMS GROUP

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

APPLERA CORPORATION – APPLIED BIOSYSTEMS GROUP, a Delaware corporation,

Plaintiff,

v.

ILLUMINA, INC., a Delaware corporation, SOLEXA INC., a Delaware corporation, and STEPHEN C. MACEVICZ, an individual,

Defendants.

Case No. C07 02845 MEJ

**NOTICE OF PENDENCY OF OTHER ACTION**

[LOCAL RULE 3-13]

TO DEFENDANTS, THEIR ATTORNEYS OF RECORD, AND THE CLERK OF THE ABOVE-ENTITLED COURT.

Pursuant to Northern District Local Rule 13-3, Plaintiff Applera Corporation – Applied Biosystems Group ("AB") files this Notice of Pendency of Other Action:

This case is related to the pending case of *Applera Corporation – Applied Biosystems Group v. Solexa, Inc., Stephen C. Macevicz, and Does 1-10*, filed on or about December 26, 2006 in the Superior Court of California, County of Santa Clara, Case No. 106CV077133 (the "State Court Action").

The complaint in the State Court Action alleges, *inter alia*, that Solexa (which was known during much of the relevant time period as Lynx) and Macevicz wrongfully took patents and inventions that belong to AB.

The parties are in discussions regarding whether consolidation of the actions is appropriate.

Dated: June 5, 2007

BRYAN WILSON
DAVID C. DOYLE
STEVEN E. COMER
MORRISON & FOERSTER LLP

By: /s/ Bryan Wilson
Bryan Wilson
Attorneys for Plaintiff
APPLERA CORPORATION –
APPLIED BIOSYSTEMS GROUP