IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

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| ZYMOGENETICS, INC., | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| v. | ) | Civ. No. 06-500-SLR |
| | ) | |
| BRISTOL-MYERS SQUIBB CO. and DOES 1 through 100, | ) | |
| | ) | |
| | ) | |
| Defendants. | ) | |

**REVISED SCHEDULING ORDER**

At Wilmington this 13th day of March, 2008, having conferred with counsel;

IT IS ORDERED that the stipulated amended scheduling order entered December 13, 2007 (D.I. 138) shall be revised as follows:

1. The deadline for submitting the Joint Claim Construction Chart and supporting documents shall be extended to May 7, 2008. (See D.I. 146)

2. Any party filing a motion for summary judgment on **May 16, 2008** shall also file[1] a short and concise statement, in numbered paragraphs, of: (a) the material facts as to which the movant contends there is no genuine issue to be tried, along with a cite to the record submitted supporting each such contention;[2] and (b) the legal issues upon which judgment is sought.

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[1]Along with the opening brief and appendices.

[2]Failure to cite record support may be deemed by the court to create a genuine issue of fact sufficient to overcome summary judgment.

3. The non-movant need not file a responsive brief to the motion for summary judgment. Instead, on or before **June 2, 2008,** the non-movant shall file a short and concise statement, in numbered paragraphs corresponding to the numbered paragraphs of the movant's statement, of: (a) the material facts presenting genuine issues precluding summary judgment;[3] and (b) the legal issues that depend from these disputed facts.

4. The court shall conduct a Markman hearing, as well as oral argument on the above summary judgment submissions, on **June 27, 2008 at 9:00 a.m.** in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware.[4] Each party shall have 1.5 hours in which to make its presentation. The court will determine, from these submissions, whether the non-movant will have to file responsive papers to the pending motion(s) for summary judgment.

5. The court shall conduct a pretrial conference on **October 7, 2008 at 4:30 p.m.**. The court does not entertain motions in limine; any evidentiary issues shall be included in the stipulated pretrial order which shall be filed on or before **October 1, 2008.** The parties shall also file, on or before **October 1, 2008,** the proposed voir dire and proposed preliminary and final jury instructions. The parties shall be given the final trial schedule and their allotted trial hours at this conference.

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[3]If a fact is not disputed, the non-movant should say so. If a fact is disputed, but the non-movant fails to cite to record evidence to support its position, the court will deem the fact undisputed.

[4]Unless otherwise notified, all scheduled proceedings in this case shall be conducted in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware.

6. The court shall conduct a jury trial (up to seven days) commencing on **October 20, 2008**.

United States District Judge