

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:16-cv-04226-RJS**

Biocad JSC v. F. Hoffman La-Roche Ltd. et al  
Assigned to: Judge Richard J. Sullivan  
Cause: 15:1 Antitrust Litigation (Monopolizing Trade)

Date Filed: 06/07/2016  
Date Terminated: 09/30/2017  
Jury Demand: Plaintiff  
Nature of Suit: 410 Anti-Trust  
Jurisdiction: Federal Question

**Plaintiff**

**Biocad JSC**

represented by **David Charles Frederick**  
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V.

**Defendant**

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**Defendant**

**Genentech, Inc.**

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**Defendant**

**R-Farm JSC**

represented by **Eric Jonathan Stock**  
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**Defendant**

**Roche Holding AG**

represented by **Paul Spagnoletti**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Scott Gehring**

(See above for address)

ATTORNEY TO BE NOTICED

| Date Filed | #                  | Docket Text  |
|------------|--------------------|--|
| 06/07/2016 | <a href="#">1</a>  | COMPLAINT against F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC. (Filing Fee \$ 400.00, Receipt Number 0208-12388246) Document filed by Biocad JSC.(Feinstein, Albert) (Entered: 06/07/2016)   |
| 06/07/2016 | <a href="#">2</a>  | REQUEST FOR ISSUANCE OF SUMMONS as to F. HOFFMAN LA-ROCHE LTD., GENENTECH, INC. and R-FARM JSC, re: <a href="#">1</a> Complaint. Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC. (Feinstein, Albert) (Entered: 06/07/2016)  |
| 06/07/2016 | <a href="#">3</a>  | <b>FILING ERROR - DUPLICATE DOCKET ENTRY</b> REQUEST FOR ISSUANCE OF SUMMONS as to F. HOFFMAN LA-ROCHE LTD., GENENTECH, INC. and R-FARM JSC, re: <a href="#">1</a> Complaint. Document filed by Biocad JSC. (Feinstein, Albert) Modified on 6/8/2016 (pc). (Entered: 06/07/2016)   |
| 06/07/2016 | <a href="#">4</a>  | CIVIL COVER SHEET filed. (Feinstein, Albert) (Entered: 06/07/2016)   |
| 06/07/2016 | <a href="#">5</a>  | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Biocad Holding Limited for Biocad JSC. Document filed by Biocad JSC.(Feinstein, Albert) (Entered: 06/07/2016)  |
| 06/08/2016 |                    | <b>***NOTICE TO ATTORNEY REGARDING CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Albert Feinstein. The following case opening statistical information was erroneously selected/entered: County code New York; Fee Status code due (due). The following correction(s) have been made to your case entry: the County code has been modified to XX Out of U.S.; the Fee Status code has been modified to pd (paid). (pc)</b> (Entered: 06/08/2016)  |
| 06/08/2016 |                    | <b>***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Albert Feinstein. The party information for the following party/parties has been modified: Biocad JSC. The information for the party/parties has been modified for the following reason/reasons: party role was entered incorrectly. (pc)</b> (Entered: 06/08/2016)  |
| 06/08/2016 |                    | CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Richard J. Sullivan. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (pc) (Entered: 06/08/2016) |
| 06/08/2016 |                    | Magistrate Judge James L. Cott is so designated. (pc) (Entered: 06/08/2016)  |
| 06/08/2016 |                    | Case Designated ECF. (pc) (Entered: 06/08/2016)  |
| 06/08/2016 | <a href="#">6</a>  | ELECTRONIC SUMMONS ISSUED as to F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC. (pc) (Entered: 06/08/2016)  |
| 07/31/2016 | <a href="#">7</a>  | NOTICE OF APPEARANCE by Lawrence Edward Buterman on behalf of Genentech, Inc.. (Buterman, Lawrence) (Entered: 07/31/2016)  |
| 07/31/2016 | <a href="#">8</a>  | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Roche Holdings, Inc., Corporate Parent Roche Holding Ltd., Other Affiliate Novartis AG for Genentech, Inc.. Document filed by Genentech, Inc..(Buterman, Lawrence) (Entered: 07/31/2016)   |
| 07/31/2016 | <a href="#">9</a>  | CONSENT LETTER MOTION for Extension of Time to File Answer re: <a href="#">1</a> Complaint <i>or to file a request for a pre-motion conference in anticipation of moving to dismiss plaintiff's complaint</i> addressed to Judge Richard J. Sullivan from Lawrence E. Buterman dated July 31, 2016. Document filed by Genentech, Inc..(Buterman, Lawrence) (Entered: 07/31/2016)   |
| 08/01/2016 | <a href="#">10</a> | ORDER granting <a href="#">9</a> Letter Motion for Extension of Time to Answer. IT IS HEREBY ORDERED THAT Defendant Genentech's time to answer or otherwise respond to the complaint is extended to September 9, 2016. The Clerk of the Court is respectfully directed to terminate the motion pending at docket number 9. Genentech, Inc. answer due 9/9/2016. (Signed by Judge Richard J. Sullivan on 8/1/2016) (mro) (Entered: 08/01/2016)  |
| 08/01/2016 | <a href="#">11</a> | AFFIDAVIT OF SERVICE. R-Farm JSC served on 7/6/2016, answer due 7/27/2016. Service was accepted by Konstantin Gavrilenko. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 08/01/2016)  |
| 08/01/2016 | <a href="#">12</a> | AFFIDAVIT OF SERVICE. F. Hoffman La-Roche Ltd. served on 7/22/2016, answer due 8/12/2016. Service was accepted by Patricia Oscilowski. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 08/01/2016)   |

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| 08/01/2016 | <a href="#">13</a> | MOTION for Daniel M. Wall to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-12601920. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Genentech, Inc.. (Attachments: # <a href="#">1</a> Exhibit - Certificate of Good Standing, # <a href="#">2</a> Text of Proposed Order)(Wall, Daniel) (Entered: 08/01/2016)  |
| 08/02/2016 |                    | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <a href="#">13</a> MOTION for Daniel M. Wall to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-12601920. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb)</b> (Entered: 08/02/2016)  |
| 08/03/2016 | <a href="#">14</a> | ORDER FOR ADMISSION PRO HAC VICE granting <a href="#">13</a> Motion for Daniel M. Wall to Appear Pro Hac Vice. (Signed by Judge Richard J. Sullivan on 8/3/2016) (mro) (Entered: 08/03/2016)   |
| 08/03/2016 | <a href="#">15</a> | ORDER: Initial Conference set for 9/23/2016 at 11:00 AM in Courtroom 905 of the Thurgood Marshall United States District Court for the Southern District of New York, 40 Centre Street, New York, NY 10007 before Judge Richard J. Sullivan. In addition, the Court notes that, based on affidavits of service filed by Plaintiff on August 1, 2016 (Doc. Nos. 11, 12), Defendant R-Farm JSC's response to the complaint was due on July 27, 2016, and Defendant F. Hoffman La-Roche Ltd.'s response to the complaint is due on August 12, 2016. Because the Court previously extended Defendant Genentech, Inc.'s time to respond to the complaint to September 9, 2016 (Doc. No. 10), IT IS FURTHER ORDERED THAT Defendants R-Farm JSC's and F. Hoffman La-Roche Ltd.'s time to respond to the complaint is similarly extended to September 9, 2016. (As further set forth in this Order.) (Signed by Judge Richard J. Sullivan on 8/3/2016) (mro) (Entered: 08/04/2016) |
| 08/03/2016 |                    | Set/Reset Deadlines: F. Hoffman La-Roche Ltd. answer due 9/9/2016; R-Farm JSC answer due 9/9/2016. (mro) (Entered: 08/04/2016)   |
| 08/04/2016 | <a href="#">16</a> | MOTION for Amanda P. Reeves to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-12613673. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Genentech, Inc.. (Attachments: # <a href="#">1</a> Exhibit - Certificates of Good Standing, # <a href="#">2</a> Text of Proposed Order) (Reeves, Amanda) (Entered: 08/04/2016)  |
| 08/04/2016 |                    | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <a href="#">16</a> MOTION for Amanda P. Reeves to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-12613673. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu)</b> (Entered: 08/04/2016)   |
| 08/05/2016 | <a href="#">17</a> | ORDER FOR ADMISSION PRO HAC VICE granting <a href="#">16</a> Motion for Amanda P. Reeves to Appear Pro Hac Vice. (As further set forth in this Order.) (Signed by Judge Richard J. Sullivan on 8/5/2016) (cf) (Entered: 08/05/2016)  |
| 09/09/2016 | <a href="#">18</a> | NOTICE OF APPEARANCE by Paul Spagnoletti on behalf of F. Hoffman La-Roche Ltd.. (Spagnoletti, Paul) (Entered: 09/09/2016)  |
| 09/09/2016 | <a href="#">19</a> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Roche Holding Ltd. for F. Hoffman La-Roche Ltd.. Document filed by F. Hoffman La-Roche Ltd..(Spagnoletti, Paul) (Entered: 09/09/2016)  |
| 09/09/2016 | <a href="#">20</a> | LETTER addressed to Judge Richard J. Sullivan from Paul Spagnoletti dated 9/9/2016 re: requests a pre-motion conference regarding a motion pursuant to Federal Rules of Civil Procedure 12(b)(5) and (6) to dismiss the claims brought against it by plaintiff BIOCAD JSC (BIOCAD).. Document filed by F. Hoffman La-Roche Ltd..(Spagnoletti, Paul) (Entered: 09/09/2016)  |
| 09/09/2016 | <a href="#">21</a> | NOTICE OF APPEARANCE by Andrew Scott Gehring on behalf of F. Hoffman La-Roche Ltd.. (Gehring, Andrew) (Entered: 09/09/2016)  |
| 09/09/2016 | <a href="#">22</a> | LETTER MOTION for Conference <i>pursuant to Rule 2.A. of the Individual Rules and Practices of Richard J. Sullivan</i> addressed to Judge Richard J. Sullivan from Daniel M. Wall dated September 9, 2016. Document filed by Genentech, Inc..(Wall, Daniel) (Entered: 09/09/2016)  |
| 09/09/2016 | <a href="#">23</a> | LETTER MOTION for Conference <i>Regarding Anticipated Motion to Dismiss the Complaint</i> addressed to Judge Richard J. Sullivan from Eric J. Stock dated 9/9/2016. Document filed by R-Farm JSC.(Stock, Eric) (Entered: 09/09/2016)   |
| 09/09/2016 | <a href="#">24</a> | AFFIDAVIT OF SERVICE. F. Hoffman La-Roche Ltd. served on 7/21/2016, answer due 9/9/2016. Service was accepted by Gail Goldman, Paralegal. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 09/09/2016)  |
| 09/09/2016 | <a href="#">25</a> | ORDER granting <a href="#">22</a> Letter Motion for Conference; granting <a href="#">23</a> Letter Motion for Conference. IT IS HEREBY ORDERED THAT the initial conference previously scheduled for September 23, 2016 at 11:00 a.m. is  |

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|            |                    | adjourned to 12:00 p.m. the same day and shall also serve as a pre-motion conference on Defendants' anticipated motions to dismiss. Pursuant to Rule 2.A of the Court's Individual Rules and Practices, Plaintiff shall respond to Defendants' letters by September 14, 2016. The Clerk of the Court is respectfully directed to terminate the motions pending at docket numbers 22 and 23. Initial Conference set for 9/23/2016 at 12:00 PM before Judge Richard J. Sullivan. Pre-Motion Conference set for 9/23/2016 at 12:00 PM before Judge Richard J. Sullivan. (Signed by Judge Richard J. Sullivan on 9/9/2016) (mro) Modified on 9/14/2016 (mro). (Entered: 09/12/2016)  |
| 09/12/2016 | <a href="#">26</a> | NOTICE OF APPEARANCE by Paul Spagnoletti on behalf of F. Hoffman La-Roche Ltd.. (Spagnoletti, Paul) (Entered: 09/12/2016)  |
| 09/12/2016 | <a href="#">27</a> | NOTICE OF APPEARANCE by Andrew Scott Gehring on behalf of F. Hoffman La-Roche Ltd.. (Gehring, Andrew) (Entered: 09/12/2016)  |
| 09/12/2016 | <a href="#">28</a> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Roche Holding Ltd., Other Affiliate Novartis AG for F. Hoffman La-Roche Ltd.. Document filed by F. Hoffman La-Roche Ltd.. (Spagnoletti, Paul) (Entered: 09/12/2016)  |
| 09/12/2016 | <a href="#">29</a> | NOTICE OF APPEARANCE by Thomas James Giblin on behalf of Genentech, Inc.. (Giblin, Thomas) (Entered: 09/12/2016)   |
| 09/13/2016 | <a href="#">30</a> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by R-Farm JSC.(Stock, Eric) (Entered: 09/13/2016)   |
| 09/14/2016 | <a href="#">31</a> | LETTER addressed to Judge Richard J. Sullivan from Daniel M. Wall dated September 14, 2016 re: information requested pursuant to August 3, 2016 Order (Dkt. No. 15). Document filed by Genentech, Inc.. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Wall, Daniel) (Entered: 09/14/2016)  |
| 09/14/2016 | <a href="#">32</a> | LETTER RESPONSE to Motion addressed to Judge Richard J. Sullivan from Albert Feinstein dated September 14, 2016 re: <a href="#">22</a> LETTER MOTION for Conference <i>pursuant to Rule 2.A. of the Individual Rules and Practices of Richard J. Sullivan</i> addressed to Judge Richard J. Sullivan from Daniel M. Wall dated September 9, 2016., <a href="#">23</a> LETTER MOTION for Conference <i>Regarding Anticipated Motion to Dismiss the Complaint</i> addressed to Judge Richard J. Sullivan from Eric J. Stock dated 9/9/2016. . Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 09/14/2016)  |
| 09/23/2016 |                    | Minute Entry for proceedings held before Judge Richard J. Sullivan: Pre-Motion Conference held on 9/23/2016 at 12:09 p.m. Attorneys Albert Feinstein, Rika Khurdayan, and Max Dilendorf present for Plaintiff. Attorneys Paul Spagnoletti and Andrew Gehring present for Defendant F. Hoffman La-Roche Ltd., Attorney Erick Stock present for Defendant R-Pharm JSC, and Attorney Daniel Wall present for Defendant Genentech, Inc. Court reporter present. The Court ordered Plaintiff to file its amended complaint by 10/24/2016 and ordered Defendants to file by 11/7/2016 a joint letter regarding their intent with respect to any motions to dismiss the amended complaint. (Ruff, Robert) (Entered: 09/23/2016) |
| 10/07/2016 | <a href="#">33</a> | TRANSCRIPT of Proceedings re: CONFERENCE held on 9/23/2016 before Judge Richard J. Sullivan. Court Reporter/Transcriber: Khristine Sellin, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/31/2016. Redacted Transcript Deadline set for 11/10/2016. Release of Transcript Restriction set for 1/8/2017.(McGuirk, Kelly) (Entered: 10/07/2016)   |
| 10/07/2016 | <a href="#">34</a> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/23/16 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/07/2016)   |
| 10/13/2016 | <a href="#">35</a> | TRANSCRIPT of Proceedings re: CONFERENCE held on 9/23/2016 before Judge Richard J. Sullivan. Court Reporter/Transcriber: Khristine Sellin, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/7/2016. Redacted Transcript Deadline set for 11/17/2016. Release of Transcript Restriction set for 1/14/2017.(McGuirk, Kelly) (Entered: 10/13/2016)   |
| 10/13/2016 | <a href="#">36</a> | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/23/16 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 10/13/2016)   |

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| 10/24/2016 | <a href="#">37</a> | FIRST AMENDED COMPLAINT amending <a href="#">1</a> Complaint against F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG with JURY DEMAND.Document filed by Biocad JSC. Related document: <a href="#">1</a> Complaint filed by Biocad JSC.(Khurdayan, Arevik) (Entered: 10/24/2016)   |
| 10/24/2016 | <a href="#">38</a> | NOTICE OF APPEARANCE by Arevik Khurdayan on behalf of Biocad JSC. (Khurdayan, Arevik) (Entered: 10/24/2016)   |
| 11/07/2016 | <a href="#">39</a> | NOTICE OF APPEARANCE by Paul Spagnoletti on behalf of Roche Holding AG. (Spagnoletti, Paul) (Entered: 11/07/2016)   |
| 11/07/2016 | <a href="#">40</a> | NOTICE OF APPEARANCE by Andrew Scott Gehring on behalf of Roche Holding AG. (Gehring, Andrew) (Entered: 11/07/2016)   |
| 11/07/2016 | <a href="#">41</a> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Other Affiliate Novartis AG for Roche Holding AG. Document filed by Roche Holding AG.(Spagnoletti, Paul) (Entered: 11/07/2016)   |
| 11/07/2016 | <a href="#">42</a> | JOINT LETTER addressed to Judge Richard J. Sullivan from Paul Spagnoletti, Daniel M. Wall, and Eric J. Stock dated November 7, 2016 re: In Response to The Court's September 23, 2016 Order. Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG.(Spagnoletti, Paul) (Entered: 11/07/2016)  |
| 11/07/2016 | <a href="#">43</a> | MEMO ENDORSEMENT on re: <a href="#">42</a> Letter, filed by F. Hoffman La-Roche Ltd., Genentech, Inc., Roche Holding AG, R-Farm JSC. ENDORSEMENT: IT IS HEREBY ORDERED THAT Defendants shall file their opening briefs in support of their motions to dismiss by December 12, 2016; Plaintiff shall file its response by January 11, 2017; and Defendants shall file their replies by January 26, 2017. The parties' submissions shall comply with Rule 2 of the Court's Individual Rules and Practices. Plaintiff shall submit only one brief; however, Plaintiff may seek leave to exceed the page limit set forth in Rule 2.B upon reviewing Defendants' opening briefs. Any such request must be made at least 48 hours before the deadline for Plaintiff's response. ( Motions due by 12/12/2016., Responses due by 1/11/2017, Replies due by 1/26/2017.) (Signed by Judge Richard J. Sullivan on 11/7/2016) (mro) (Entered: 11/09/2016) |
| 11/22/2016 | <a href="#">44</a> | <b>FILING ERROR - DEFICIENT PLEADING -PDF ERROR</b> REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to ROCHE HOLDING AG, F. HOFFMAN LA-ROCHE LTD., GENENTECH, INC. AND R-FARM JSC, re: <a href="#">37</a> Amended Complaint,. Document filed by Biocad JSC. (Feinstein, Albert) Modified on 11/23/2016 (dgo). (Entered: 11/22/2016)  |
| 11/23/2016 |                    | <b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney to RE-FILE Document No. <a href="#">44</a> Request for Issuance of Amended Summons,. The filing is deficient for the following reason(s): PDF should read out AMENDED SUMMONS IN A CIVIL ACTION. Get the word AMENDED on it. Also, request Roche Holdings AG on its own as a regular summons because this party has not been issued a summons yet;. Re-file the document using the event type Request for Issuance of AMENDED Summons found under the event list Service of Process - select the correct filer/filers - and attach the correct summons form PDF. (dgo)</b> (Entered: 11/23/2016)   |
| 11/23/2016 | <a href="#">45</a> | REQUEST FOR ISSUANCE OF SUMMONS as to ROCHE HOLDING AG, re: <a href="#">37</a> Amended Complaint,. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 11/23/2016)  |
| 11/23/2016 | <a href="#">46</a> | REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to F. HOFFMAN LA-ROCHE LTD., re: <a href="#">37</a> Amended Complaint,. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 11/23/2016)  |
| 11/28/2016 | <a href="#">47</a> | ELECTRONIC SUMMONS ISSUED as to Roche Holding AG. (dgo) (Entered: 11/28/2016)   |
| 11/28/2016 | <a href="#">48</a> | ELECTRONIC AMENDED SUMMONS ISSUED as to F. Hoffman La-Roche Ltd.. (dgo) (Entered: 11/28/2016)   |
| 12/08/2016 | <a href="#">49</a> | CERTIFICATE OF SERVICE of Summons and Amended Complaint,. Roche Holding AG served on 12/7/2016, answer due 12/28/2016. Service was accepted by Robert Ferraro, Counsel. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 12/08/2016)   |
| 12/08/2016 | <a href="#">50</a> | CERTIFICATE OF SERVICE of Summons and Amended Complaint,. F. Hoffman La-Roche Ltd. served on 12/7/2016, answer due 12/28/2016. Service was accepted by Robert Ferraro, Counsel. Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 12/08/2016)   |
| 12/12/2016 | <a href="#">51</a> | MOTION to Dismiss <i>The Amended Complaint</i> . Document filed by F. Hoffman La-Roche Ltd., Roche Holding AG.(Spagnoletti, Paul) (Entered: 12/12/2016)   |
| 12/12/2016 | <a href="#">52</a> | MEMORANDUM OF LAW in Support re: <a href="#">51</a> MOTION to Dismiss <i>The Amended Complaint</i> . . Document filed by F. Hoffman La-Roche Ltd., Roche Holding AG. (Spagnoletti, Paul) (Entered: 12/12/2016)  |

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| 12/12/2016 | <a href="#">53</a> | MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> . Document filed by R-Farm JSC.(Stock, Eric) (Entered: 12/12/2016)  |
| 12/12/2016 | <a href="#">54</a> | DECLARATION of Eric J. Stock in Support re: <a href="#">53</a> MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> .. Document filed by R-Farm JSC. (Attachments: # <a href="#">1</a> Exhibit 1 - excerpts of transcript)(Stock, Eric) (Entered: 12/12/2016)  |
| 12/12/2016 | <a href="#">55</a> | MEMORANDUM OF LAW in Support re: <a href="#">53</a> MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> . . Document filed by R-Farm JSC. (Stock, Eric) (Entered: 12/12/2016)   |
| 12/12/2016 | <a href="#">56</a> | MOTION to Dismiss <i>the Amended Complaint</i> . Document filed by Genentech, Inc..(Wall, Daniel) (Entered: 12/12/2016)  |
| 12/12/2016 | <a href="#">57</a> | MEMORANDUM OF LAW in Support re: <a href="#">56</a> MOTION to Dismiss <i>the Amended Complaint</i> . . Document filed by Genentech, Inc.. (Wall, Daniel) (Entered: 12/12/2016)   |
| 12/12/2016 | <a href="#">58</a> | DECLARATION of Lawrence E. Buterman in Support re: <a href="#">56</a> MOTION to Dismiss <i>the Amended Complaint</i> .. Document filed by Genentech, Inc.. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Buterman, Lawrence) (Entered: 12/12/2016)  |
| 01/05/2017 | <a href="#">59</a> | LETTER MOTION for Extension of Time to File Response/Reply as to <a href="#">43</a> Memo Endorsement, Set Deadlines,,,,, addressed to Judge Richard J. Sullivan from Albert Feinstein dated January 5, 2017., LETTER MOTION for Leave to File Excess Pages addressed to Judge Richard J. Sullivan from Albert Feinstein dated January 5, 2017. Document filed by Biocad JSC.(Feinstein, Albert) (Entered: 01/05/2017)  |
| 01/05/2017 | <a href="#">60</a> | LETTER RESPONSE to Motion addressed to Judge Richard J. Sullivan from Paul Spagnoletti; Daniel M. Wall; and Eric J. Stock dated January 5, 2017 re: <a href="#">59</a> LETTER MOTION for Extension of Time to File Response/Reply as to <a href="#">43</a> Memo Endorsement, Set Deadlines,,,,, addressed to Judge Richard J. Sullivan from Albert Feinstein dated January 5, 2017. LETTER MOTION for Leave to File Excess Pages addressed to Judge Richard J. Sullivan from Albert Feinstein dated January 5, 2017. . Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG. (Spagnoletti, Paul) (Entered: 01/05/2017)  |
| 01/05/2017 | <a href="#">61</a> | ORDER terminating <a href="#">59</a> Letter Motion for Extension of Time to File Response/Reply; terminating <a href="#">59</a> Letter Motion for Leave to File Excess Pages. Given the length of Defendants' briefs but accounting for the fact that the briefs cover several of the same grounds for dismissal, the Court grants Plaintiff's request to exceed the page limit for its opposition brief, but Plaintiff shall be limited to 50 pages. With respect to Plaintiff's extension request, while the extra pages warrant some extension of the deadline, the Court finds that an extra month is excessive. Accordingly, Plaintiff's deadline to file its opposition brief is extended to January 31, 2017, and Defendants' deadline to file their reply briefs is extended to February 15, 2017. (Signed by Judge Richard J. Sullivan on 1/5/2017) (mro) (Entered: 01/06/2017)   |
| 01/05/2017 |                    | Set/Reset Deadlines: Responses due by 1/31/2017 Replies due by 2/15/2017. (mro) (Entered: 01/06/2017)  |
| 01/31/2017 | <a href="#">62</a> | DECLARATION of Albert Feinstein in Opposition re: <a href="#">56</a> MOTION to Dismiss <i>the Amended Complaint</i> ., <a href="#">53</a> MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> ., <a href="#">51</a> MOTION to Dismiss <i>The Amended Complaint</i> .. Document filed by Biocad JSC. (Attachments: # <a href="#">1</a> Exhibit A - Repik's Interview, # <a href="#">2</a> Exhibit B - Ignatiev's Presentation, # <a href="#">3</a> Exhibit C - Expense Report, # <a href="#">4</a> Exhibit D - Internal Memo, # <a href="#">5</a> Exhibit E - Roche's Payment Schedule, # <a href="#">6</a> Exhibit F - Roche's Payment Schedule 2, # <a href="#">7</a> Exhibit G - Explanatory Statement, # <a href="#">8</a> Exhibit H - Roche Complaint Report, # <a href="#">9</a> Exhibit I - Roche's Email Correspondence, # <a href="#">10</a> Exhibit J - Roche's Email Correspondence 2)(Feinstein, Albert) (Entered: 01/31/2017) |
| 01/31/2017 | <a href="#">63</a> | MEMORANDUM OF LAW in Opposition re: <a href="#">56</a> MOTION to Dismiss <i>the Amended Complaint</i> ., <a href="#">53</a> MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> ., <a href="#">51</a> MOTION to Dismiss <i>The Amended Complaint</i> . . Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 01/31/2017)  |
| 02/14/2017 | <a href="#">64</a> | LETTER addressed to Judge Richard J. Sullivan from Paul Spagnoletti; Daniel M. Wall; and Eric J. Stock dated February 14, 2017 re: Waive the Requirement for Pre-Motion Conference. Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG.(Spagnoletti, Paul) (Entered: 02/14/2017)  |
| 02/15/2017 | <a href="#">65</a> | REPLY MEMORANDUM OF LAW in Support re: <a href="#">51</a> MOTION to Dismiss <i>The Amended Complaint</i> . . Document filed by F. Hoffman La-Roche Ltd., Roche Holding AG. (Spagnoletti, Paul) (Entered: 02/15/2017)   |
| 02/15/2017 | <a href="#">66</a> | REPLY MEMORANDUM OF LAW in Support re: <a href="#">53</a> MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> . . Document filed by R-Farm JSC. (Stock, Eric) (Entered: 02/15/2017)   |
| 02/15/2017 | <a href="#">67</a> | REPLY MEMORANDUM OF LAW in Support re: <a href="#">56</a> MOTION to Dismiss <i>the Amended Complaint</i> . . Document filed by Genentech, Inc.. (Wall, Daniel) (Entered: 02/15/2017)   |
| 02/16/2017 | <a href="#">68</a> | MEMO ENDORSEMENT on re: <a href="#">64</a> Letter re: Waive the Requirement for Pre-Motion Conference, filed by F.   |

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|            |                    | Hoffman La-Roche Ltd., Genentech, Inc., Roche Holding AG, R-Farm JSC. ENDORSEMENT: In light of the facts that (1) the motion to dismiss will soon be fully briefed, and (2) Defendants' contemplated sanctions motion is closely associated with that motion, the Court is persuaded that a pre- motion conference on Defendants' sanctions motion is unwarranted. Accordingly, IT IS HEREBY ORDERED that Defendants shall file their motion no later than March 7, 2017, and Plaintiff shall file its response by March 21, 2017. The Court does not require a reply brief. (Motions due by 3/7/2017., Responses due by 3/21/2017) (Signed by Judge Richard J. Sullivan on 2/15/2017) (cla) (Entered: 02/16/2017)  |
| 02/21/2017 | <a href="#">69</a> | LETTER addressed to Judge Richard J. Sullivan from Albert Feinstein dated February 21, 2017 re: the Court's Leave to File a Sur-Reply. Document filed by Biocad JSC.(Feinstein, Albert) (Entered: 02/21/2017)   |
| 02/22/2017 | <a href="#">70</a> | MEMO ENDORSEMENT on re: <a href="#">69</a> Letter filed by Biocad JSC. ENDORSEMENT: IT IS HERBY ORDERED that Plaintiff's request to file a sur-reply in connection with Defendant's motion to dismiss the Complaint is DENIED. (Signed by Judge Richard J. Sullivan on 2/22/2017) (jwh) (Entered: 02/22/2017)   |
| 03/07/2017 | <a href="#">71</a> | MOTION for Sanctions <i>Notice of Motion to Sanction Biocad and Its Counsel</i> . Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG.(Spagnoletti, Paul) (Entered: 03/07/2017)   |
| 03/07/2017 | <a href="#">72</a> | MEMORANDUM OF LAW in Support re: <a href="#">71</a> MOTION for Sanctions <i>Notice of Motion to Sanction Biocad and Its Counsel</i> . . Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG. (Spagnoletti, Paul) (Entered: 03/07/2017)  |
| 03/07/2017 | <a href="#">73</a> | DECLARATION of Andrew S. Gehring in Support re: <a href="#">71</a> MOTION for Sanctions <i>Notice of Motion to Sanction Biocad and Its Counsel</i> .. Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C - Part 1 of 3, # <a href="#">4</a> Exhibit C - Part 2 of 3, # <a href="#">5</a> Exhibit C - Part 3 of 3, # <a href="#">6</a> Exhibit D)(Spagnoletti, Paul) (Entered: 03/07/2017)   |
| 03/21/2017 | <a href="#">74</a> | MEMORANDUM OF LAW in Opposition re: <a href="#">71</a> MOTION for Sanctions <i>Notice of Motion to Sanction Biocad and Its Counsel</i> . . Document filed by Biocad JSC. (Feinstein, Albert) (Entered: 03/21/2017)  |
| 09/30/2017 | <a href="#">75</a> | OPINION AND ORDER re: <a href="#">56</a> MOTION to Dismiss <i>the Amended Complaint</i> filed by Genentech, Inc., <a href="#">53</a> MOTION to Dismiss / <i>Notice of Motion to Dismiss Plaintiff's Amended Complaint</i> filed by R-Farm JSC, <a href="#">51</a> MOTION to Dismiss <i>The Amended Complaint</i> filed by F. Hoffman La-Roche Ltd., Roche Holding AG. Because Plaintiff has failed to plead an antitrust injury, because the foreign locus of Plaintiff's claims place them outside the reach of U.S. antitrust law, and because Plaintiff has not demonstrated a significant threat of injury from an impending violation of the antitrust laws, Defendants' motions to dismiss are GRANTED, and Plaintiff's request for leave to amend the First Amended Complaint is DENIED. The Clerk of Court is respectfully directed to terminate the motions pending at docket numbers 51, 53, and 56, and to close this case. (Signed by Judge Richard J. Sullivan on 9/30/2017) (mro) (Entered: 10/02/2017) |
| 09/30/2017 |                    | Transmission to Judgments and Orders Clerk. Transmitted re: <a href="#">75</a> Memorandum & Opinion to the Judgments and Orders Clerk. (mro) (Entered: 10/02/2017)  |
| 09/30/2017 | <a href="#">76</a> | CLERK'S JUDGMENT: It is, ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated September 30, 2017, Defendants' motions to dismiss the First Amended Complaint are granted and Plaintiff's request for leave to amend the First Amended Complaint is denied; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 9/30/2017) (Attachments: # <a href="#">1</a> Right to Appeal, # <a href="#">2</a> Right to Appeal)(km) (Entered: 10/02/2017)   |
| 09/30/2017 |                    | Terminate Transcript Deadlines (km) (Entered: 10/02/2017)   |
| 10/27/2017 | <a href="#">77</a> | NOTICE OF APPEAL from <a href="#">75</a> Memorandum & Opinion,, <a href="#">76</a> Clerk's Judgment,. Document filed by Biocad JSC. Filing fee \$ 505.00, receipt number 0208-14296398. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Feinstein, Albert) (Entered: 10/27/2017)   |
| 10/27/2017 |                    | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <a href="#">77</a> Notice of Appeal. (tp) (Entered: 10/27/2017)  |
| 10/27/2017 |                    | Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <a href="#">77</a> Notice of Appeal, filed by Biocad JSC were transmitted to the U.S. Court of Appeals. (tp) (Entered: 10/27/2017)  |
| 11/26/2019 | <a href="#">78</a> | MANDATE of USCA (Certified Copy) as to <a href="#">77</a> Notice of Appeal, filed by Biocad JSC. USCA Case Number 17-3486. IT IS HEREBY ORDERED, ADJUDGED and DECREED that the judgment of the district court is AFFIRMED.. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 11/26/2019. (Attachments: # <a href="#">1</a> Opinion, # <a href="#">2</a> Concurring Opinion)(nd) (Entered: 11/26/2019)   |
| 11/26/2019 |                    | Transmission of USCA Mandate to the District Judge re: <a href="#">78</a> USCA Mandate. (nd) (Entered: 11/26/2019)  |
| 11/27/2019 | <a href="#">79</a> | ORDER, IT IS HEREBY ORDERED THAT Defendants shall supplement their motion for sanctions and   |



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|            |                    | attorneys' fees in light of the appeal no later than December 18, 2019, and Plaintiffs shall respond no later than January 15, 2020. SO ORDERED. (Responses due by 1/15/2020) (Signed by Judge Richard J. Sullivan on 11/27/19) (yv) (Entered: 11/27/2019)   |
| 12/18/2019 | <a href="#">80</a> | RESPONSE in Support of Motion re: <a href="#">71</a> MOTION for Sanctions <i>Notice of Motion to Sanction Biocad and Its Counsel. Supplement to Motion for Sanctions and Attorneys' Fees as per Judge Sullivan's November 27, 2019 Order.</i> Document filed by F. Hoffman La-Roche Ltd., Genentech, Inc., R-Farm JSC, Roche Holding AG. (Spagnoletti, Paul) (Entered: 12/18/2019)   |
| 01/14/2020 | <a href="#">81</a> | MOTION for David C. Frederick to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-18500238. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Biocad JSC. (Attachments: # <a href="#">1</a> Affidavit, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Text of Proposed Order)(Frederick, David) (Entered: 01/14/2020)  |
| 01/14/2020 |                    | <b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <a href="#">81</a> MOTION for David C. Frederick to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-18500238. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb)</b> (Entered: 01/14/2020)   |
| 01/15/2020 | <a href="#">82</a> | ORDER GRANTING ADMISSION PRO HAC VICE granting <a href="#">81</a> Motion for David C. Frederick to Appear Pro Hac Vice. The motion of David C. Frederick for admission to practice pro hac vice in the above-captioned case is granted. IT IS HEREBY ORDERED that Applicant is admitted to practice pro hac vice in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing uding the Rules governing discipline ) (Entered: 01/15/2020) |