

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NATERA, INC.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 21-56-GBW
v.	)	
	)	
INIVATA, INC. and INIVATA, LTD.,	)	
	)	
Defendants.	)	
	)	
	)	

NATERA, INC.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 22-1609-GBW
v.	)	
	)	
INIVATA, INC. and INIVATA, LTD.,	)	
	)	
Defendants.	)	
	)	
	)	

PROPOSED STIPULATION AND ORDER REGARDING CASE CONSOLIDATION

The parties, Natera, Inc. (“Natera”), plaintiff in Case Nos. 21-cv-00056-GBW (the “-056 action”) and 22-cv-01609-GBW (the “-1609 action”), and Inivata, Inc. and Inivata, Ltd. (collectively, “Inivata”), defendants in the -056 action and the -1609 action, by and through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on January 20, 2021, Natera filed the -056 action alleging that Inivata’s cancer detection tests infringe U.S. Patent Nos. 10,262,755 (the “’755 patent”) and 10,597,709 (the “’709 patent.”

WHEREAS, on December 20, 2022, Natera filed the -1609 action alleging that Inivata’s cancer detection tests infringe U.S. Patent No. 11,530,454 (the “’454 patent”).

WHEREAS, the -056 and -1609 actions include common issues of law and fact, including claims for patent infringement relating to Inivata's cancer detection tests;

WHEREAS, consolidation of the -056 and -1609 actions will enable more efficient case management by the Court and avoid unnecessary costs and delays by avoiding duplicative discovery and motion practice in each action;

WHEREAS, no scheduling order has been entered in either actions;

WHEREAS, the parties agree that the -056 and -1609 actions should be consolidated for all purposes;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. Pursuant to Federal Rule of Civil Procedure 42(a), the -056 action and the -1609 action are consolidated for all purposes;

2. The -056 action shall be the lead case, and all future filings shall be made only in the -056 action; and

3. All future filings shall include the following caption:

NATERA, INC.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 21-56-GBW
v.	)	(CONSOLIDATED)
	)	
INIVATA, INC. and INIVATA, LTD.,	)	
	)	
Defendants.	)	
	)	
	)	

By: /s/ Derek J. Fahnestock

By: /s/ Brian E. Farnan

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Dated: January 25, 2023

IT IS SO ORDERED this _____ day of _____, 2023.

The Honorable Gregory B. Williams