

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

10X GENOMICS, INC. and PRESIDENT AND
FELLOWS OF HARVARD COLLEGE,

Plaintiffs,

v.

NANOSTRING TECHNOLOGIES, INC.,

Defendant.

C.A. No. 22-261-MFK

**STIPULATION AND ORDER REGARDING SUBSTITUTION OF BRUKER SPATIAL
BIOLOGY, INC. AND BRUKER NANO, INC. IN PLACE OF NANOSTRING
TECHNOLOGIES, INC.**

WHEREAS, NanoString Technologies, Inc. (“NanoString”) was named as a defendant in the above captioned action (D.I. 1);

WHEREAS, on April 17, 2024, Bruker Corporation (“Bruker Corp.”) entered into an Asset Purchase Agreement relating to the acquisition of the assets of defendant NanoString (Ex. 1);

WHEREAS, on May 5, 2024, Bruker Corp. assigned to Bruker Spatial Biology, Inc. the right to purchase NanoString’s assets, including Bruker Corp.’s obligation to assume NanoString’s liabilities;

WHEREAS, effective May 6, 2024, Bruker Spatial Biology, Inc. acquired all assets of defendant NanoString and assumed all of NanoString’s liabilities related to the above captioned action (Ex. 2);

WHEREAS, NanoString and Bruker were authorized and directed by the United States Bankruptcy Court for the District of Delaware to replace NanoString with the Buyer as the appropriate party in this action and to request the lifting of stays (Ex. 3, ¶ 47); and

WHEREAS, on May 16, counsel for Bruker notified the parties of their intention to substitute Bruker Nano, Inc. in addition to Bruker Spatial Biology, Inc.¹;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties and subject to the approval of the Court:

1. To the lifting of the stay in the above captioned action (D.I. 279);
2. To the substitution of Bruker Spatial Biology, Inc. and Bruker Nano, Inc. for NanoString as defendants pursuant to Fed. R. Civ. P. 25(c), and
3. The Clerk is directed to change the case caption as follows:

10X GENOMICS, INC. and PRESIDENT AND
FELLOWS OF HARVARD COLLEGE,

Plaintiffs,

v.

BRUKER SPATIAL BIOLOGY, INC. AND
BRUKER NANO, INC.,

Defendants.

C.A. No. 22-261-MFK

¹ The parties have agreed to the substitution of Bruker Spatial Biology, Inc. and Bruker Nano, Inc. right now, but are continuing discussions as to whether Bruker Corp. should also be a named defendant, which will be addressed in a joint status report.

Respectfully Submitted,

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***Counsel for NanoString Technologies, Inc.
and Bruker Spatial Biology, Inc. and
Bruker Nano, Inc.***

Dated: May 31, 2024

IT IS SO ORDERED this 14th day of June, 2024.



The Honorable Matthew F. Kennelly
United States District Judge