

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:22-cv-00261-MFK**

10X Genomics, Inc. et al v. Bruker Spatial Biology, Inc. et al

Assigned to: Judge Matthew F Kennelly

Related Cases: [1:21-cv-00653-MFK](#)

[1:22-cv-00595-MFK](#)

[1:22-cv-01375-MFK](#)

Cause: 35:271 Patent Infringement

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(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jarren N. Ginsburg
(See above for address)
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ATTORNEY TO BE NOTICED

Kiley White
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Li Shen
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Sarah E. Rieger
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Stefani C. Smith
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

10X Genomics, Inc.

represented by **Aaron Nathan**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Azra M. Hadzimehmedovic
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cameron Paul Clark
(See above for address)
TERMINATED: 06/17/2024

Karen Jacobs
(See above for address)
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ATTORNEY TO BE NOTICED

William P Nelson
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Counter Defendant

**President and Fellows of Harvard
College**

represented by **Karen Jacobs**
(See above for address)
TERMINATED: 06/20/2024
LEAD ATTORNEY

Cameron Paul Clark
(See above for address)
TERMINATED: 06/20/2024

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Date Filed	#	Docket Text
02/28/2022	<u>1</u>	COMPLAINT filed with Jury Demand against NanoString Technologies, Inc. – Magistrate Consent Notice to Pltf. (Filing fee \$ 402, receipt number ADEDC-3813351.) – filed by President and Fellows of Harvard College, 10X Genomics, Inc.. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Exhibit 1-4, # <u>4</u> Civil Cover Sheet)(mal) (Entered: 02/28/2022)
02/28/2022	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (mal) (Entered: 02/28/2022)
02/28/2022	<u>3</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) 10,227,639 B2 ;11,021,737 B2. (mal) (Entered: 02/28/2022)
02/28/2022	<u>4</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by 10X Genomics, Inc.. (mal) (Entered: 02/28/2022)
02/28/2022	<u>5</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by President and Fellows of Harvard College. (mal) (Entered: 02/28/2022)
02/28/2022	<u>6</u>	Summons Issued with Magistrate Consent Notice attached as to NanoString Technologies, Inc. on 2/28/2022. (mal) (Entered: 02/28/2022)
03/01/2022	<u>7</u>	SUMMONS Returned Executed by President and Fellows of Harvard College, 10X Genomics, Inc.. NanoString Technologies, Inc. served on 3/1/2022, answer due 3/22/2022. (Jacobs, Karen) (Entered: 03/01/2022)
03/01/2022	<u>8</u>	MOTION for Pro Hac Vice Appearance of Attorney Matthew Powers, Paul Ehrlich, Stefani Smith, Samantha Jameson and Kiley White – filed by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 03/01/2022)
03/02/2022		Case Assigned to Judge Matthew F Kennelly of the United States District Court for the Northern District of Illinois, due to related case. Please include the initials of the Judge (MFK) after the case number on all documents filed. (rjb) (Entered: 03/02/2022)

03/17/2022	<u>9</u>	STIPULATION TO EXTEND TIME for Defendant to answer, move, or otherwise respond to the Complaint to 4/21/2022 – filed by NanoString Technologies, Inc.. (Farnan, Michael) (Entered: 03/17/2022)
03/21/2022	<u>10</u>	STIPULATION AND ORDER, re D.I. <u>9</u> STIPULATION TO EXTEND TIME for Defendant to answer, move, or otherwise respond to the Complaint to 4/21/2022. Signed by Judge Matthew F Kennelly on 03/21/2022. (smg) (Entered: 03/21/2022)
04/21/2022	<u>11</u>	ANSWER to <u>1</u> Complaint, with Jury Demand , COUNTERCLAIM against 10X Genomics, Inc., President and Fellows of Harvard College by NanoString Technologies, Inc..(Farnan, Michael) (Entered: 04/21/2022)
04/21/2022	<u>12</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by NanoString Technologies, Inc.. (Farnan, Michael) (Entered: 04/21/2022)
04/22/2022	<u>13</u>	NOTICE of Appearance by Brian E. Farnan on behalf of NanoString Technologies, Inc. (Farnan, Brian) (Entered: 04/22/2022)
04/22/2022	<u>14</u>	MOTION for Pro Hac Vice Appearance of Attorney Edward R. Reines and Derek C. Walter – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 04/22/2022)
05/04/2022	15	ORDER: Motion for Pro Hac Vice Appearance of Attorney Edward R. Reines and Derek C. Walter is granted <u>14</u> . Ordered by Judge Matthew F Kennelly on 05/04/2022. (smg) (Entered: 05/04/2022)
05/11/2022	<u>16</u>	MOTION for Pro Hac Vice Appearance of Attorney Robert Gerrity and Li Shen – filed by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 05/11/2022)
05/12/2022	<u>17</u>	First AMENDED COMPLAINT against NanoString Technologies, Inc. – filed by President and Fellows of Harvard College, 10X Genomics, Inc.. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Attachment C, # <u>4</u> Attachment D, # <u>5</u> Attachment E, # <u>6</u> Exhibits 1–4, # <u>7</u> Exhibits 5–9)(Jacobs, Karen) (Entered: 05/12/2022)
05/12/2022	<u>18</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) US 10,227,639 B2 ;US 11,021,737 B2 ;US 11,293,051 B2 ;US 11,293,052 B2 ;US 11,293,054 B2 (<i>Amended</i>). (Jacobs, Karen) (Entered: 05/12/2022)
05/12/2022		SO ORDERED, The motion for admission pro hac vice of Robert Gerrity and Li Shen to represent Plaintiffs 10x Genomics, Inc. and Prognosys Biosciences, Inc. is GRANTED <u>16</u> . Ordered by Judge Matthew F Kennelly on 5/12/2022. (twk) (Entered: 05/13/2022)
05/16/2022		Pro Hac Vice Attorneys Edward R. Reines, Derek C. Walter for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (twk) (Entered: 05/16/2022)
05/17/2022		Pro Hac Vice Attorneys Robert L. Gerrity and Li Shen for 10X Genomics, Inc. and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (srs) (Entered: 05/17/2022)
05/26/2022	<u>19</u>	ANSWER to Amended Complaint, re: <u>17</u> Amended Complaint, with Jury Demand , COUNTERCLAIM against 10X Genomics, Inc., President and Fellows of Harvard College by NanoString Technologies, Inc..(Farnan, Michael) (Entered: 05/26/2022)
06/06/2022	<u>20</u>	ANSWER to <u>19</u> Answer to Amended Complaint, Counterclaim <i>with Jury Demand</i> by 10X Genomics, Inc., President and Fellows of Harvard College.(Clark, Cameron) (Entered: 06/06/2022)
06/27/2022	<u>21</u>	Letter to The Honorable Matthew F. Kennelly from Karen Jacobs regarding Rule 16 scheduling conference. (Jacobs, Karen) (Entered: 06/27/2022)
06/28/2022	22	ORAL ORDER, the parties are directed to meet and confer regarding a discovery and pretrial schedule as well as the extent to which this case should be coordinated with Case No. 21–cv–653. A joint status report including a proposed discovery and pretrial

		schedule (or alternative proposed schedules if the parties cannot agree); a summary of any discussions regarding the possibility of settlement; and any other matter that any party wishes to bring to the Courts attention is to be filed on 7/12/2022. The case is set for a telephonic Rule 16 / scheduling conference on 7/19/2022 at 8:45 AM CT (9:45 AM ET). The following call-in number will be used: 888-684-8852; access code 746-1053. The Court reserves the right to vacate the conference if it determines a conference is not needed in light of the joint status report. Ordered by Judge Matthew F Kennelly on 6/28/2022.(twk) (Entered: 06/28/2022)
06/28/2022		CORRECTING ENTRY: D.I. 22 has been removed and re-filed to reflect correct Hearing type. (twk) (Entered: 06/28/2022)
07/05/2022	<u>23</u>	MOTION for Pro Hac Vice Appearance of Attorney Amanda Branch and Christopher Pepe – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 07/05/2022)
07/06/2022	<u>24</u>	NOTICE OF SERVICE of (1) Plaintiffs' First Set of Requests for Production to NanoString Technologies, Inc. (Nos. 1-92) and (2) Plaintiffs' First Set of Interrogatories to NanoString Technologies, Inc. (Nos. 1-8) filed by 10X Genomics, Inc., President and Fellows of Harvard College.(Clark, Cameron) (Entered: 07/06/2022)
07/12/2022	<u>25</u>	Joint STATUS REPORT by 10X Genomics, Inc., President and Fellows of Harvard College. (Attachments: # <u>1</u> Proposed Scheduling Order)(Clark, Cameron) (Entered: 07/12/2022)
07/12/2022	<u>26</u>	PROPOSED ORDER Protective Order by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 07/12/2022)
07/12/2022	<u>27</u>	STIPULATION and [Proposed] Order Regarding Discovery, Including Electronically Stored Information ("ESI") by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 07/12/2022)
07/15/2022	<u>28</u>	STIPULATION AND ORDER, re <u>27</u> STIPULATION Regarding Discovery, Including Electronically Stored Information ("ESI"). Signed by Judge Matthew F Kennelly on 7/15/2022. (twk) (Entered: 07/15/2022)
07/15/2022	<u>29</u>	STIPULATED PROTECTIVE ORDER. Signed by Judge Matthew F Kennelly on 7/15/2022. (twk) (Entered: 07/15/2022)
07/15/2022	30	ORAL ORDER, the Court has reviewed the parties' joint status report filed on 7/12/2022 and adopts the defendant's proposed schedule. A Word version of the proposed scheduling order with dates filled in is to be submitted to Judge Kennelly's proposed order e-mail address by no later than 7/15/2022. The Court grants the motions for the following attorneys to appear pro hac vice: Matthew Power; Paul Ehrlich; Stefani Smith; Samantha Johnson; and Kiley White (D.I. <u>8</u>); and Amanda Branch and Christopher Pepe (D.I. <u>23</u>). Ordered by Judge Matthew F Kennelly on 7/15/2022. (twk) (Entered: 07/15/2022)
07/18/2022		Pro Hac Vice Attorney Christopher M. Pepe for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 07/18/2022)
07/18/2022		Pro Hac Vice Attorney Matthew D. Powers, Paul T. Ehrlich, Stefani C. Smith, Samantha A. Jameson, and Kiley White for 10X Genomics, Inc. and President and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 07/18/2022)
07/19/2022	31	ORAL ORDER, Telephonic case management conference held on 7/19/2022. The case is set for a further telephonic case management conference on 8/16/2022 at 8:40 AM CT (9:40 AM ET). The following call-in number will be used: 888-684-8852; access code 746-1053. The case management conference will be conducted in conjunction with a case management conference in Case No. 22-cv-595. Signed by Judge Matthew F Kennelly on 7/19/2022. (apk) (Entered: 07/19/2022)
07/19/2022	<u>32</u>	NOTICE OF SERVICE of Plaintiffs' Initial Disclosures Pursuant to Fed. R. Civ. P. 26(A)(1) filed by 10X Genomics, Inc., President and Fellows of Harvard

		College.(Clark, Cameron) (Entered: 07/19/2022)
07/19/2022	<u>33</u>	NOTICE OF SERVICE of Initial Disclosures of Defendant NanoString Technologies, Inc. filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 07/19/2022)
07/20/2022	<u>34</u>	SCHEDULING ORDER: Joinder of Other Parties and Amendment of Pleadings due by 1/27/2023. Opening Expert Reports due by 10/13/2023. Rebuttal Expert Reports due by 11/10/2023. Expert Discovery due by 1/8/2024. Dispositive Motions due by 2/2/2024. Claim Construction Opening Brief due by 3/3/2023. Claim Construction Answering Brief due by 3/31/2023. Claim Construction Reply Brief due by 4/14/2023. Claim Construction Surreply Brief due by 4/21/2023. Joint Claim Construction Brief due by 4/28/2023. A 5-day Jury Trial is set for 6/3/2024 at 09:30 AM in a Courtroom to be determined before Judge Matthew F Kennelly. (See Order for additional deadlines) Signed by Judge Matthew F Kennelly on 7/20/2022. (nmg) (Entered: 07/20/2022)
07/25/2022	<u>35</u>	NOTICE OF SERVICE of Plaintiffs' Disclosure Pursuant to Paragraph 4 of The Delaware Default Standard for Discovery filed by 10X Genomics, Inc., President and Fellows of Harvard College.(Clark, Cameron) (Entered: 07/25/2022)
07/26/2022	<u>36</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Disclosures Pursuant to Paragraph 3 of the Default Standard for Discovery filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 07/26/2022)
07/26/2022	<u>37</u>	NOTICE OF SERVICE of Plaintiffs' Disclosure Pursuant to Paragraph 3 of The Delaware Default Standard for Discovery filed by 10X Genomics, Inc., President and Fellows of Harvard College.(Clark, Cameron) (Entered: 07/26/2022)
08/02/2022	<u>38</u>	MOTION to Amend/Correct <u>19</u> Answer to Amended Complaint, Counterclaim [UNOPPOSED] – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Farnan, Brian) (Entered: 08/02/2022)
08/05/2022	<u>39</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Responses and Objections to Plaintiffs' First Set of Interrogatories (Nos. 1–8) and (ii) NanoString Technologies, Inc.'s Responses and Objections to Plaintiffs' First Set of Requests for Production (Nos. 1–92) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 08/05/2022)
08/08/2022	<u>40</u>	STIPULATION TO EXTEND TIME for the parties to file a joint status report pursuant to the Court's July 19, 2022 Oral Order (D.I. 12 (C.A. 22–595–MFK) to August 8, 2022 to August 10, 2022 – filed by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 08/08/2022)
08/11/2022	<u>41</u>	STIPULATION TO EXTEND TIME for the parties to file a joint status report pursuant to the Courts July 19, 2022 Oral Order (D.I. 12 (C.A. 22–595–MFK)) to August 11, 2022 – filed by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 08/11/2022)
08/11/2022	<u>42</u>	Joint STATUS REPORT by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 08/11/2022)
08/16/2022		ORDER, Defendants unopposed motion for leave to file an amended answer and counterclaims is granted <u>38</u> . Signed by Judge Matthew F Kennelly on 8/15/2022. (apk) (Entered: 08/16/2022)
08/16/2022	<u>43</u>	ANSWER to Amended Complaint, re: <u>17</u> Amended Complaint, with Jury Demand , COUNTERCLAIM against 10X Genomics, Inc. by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Farnan, Brian) (Entered: 08/16/2022)
08/16/2022	<u>44</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) US 10,227,639 B2 ;US 11,021,737 B2 ;US 11,293,051 B2 ;US 11,293,052 B2 ;US 11,293,054 B2 ;US 11,377,689 B2 . (Farnan, Brian) (Entered: 08/16/2022)
08/16/2022	<u>45</u>	MOTION for Pro Hac Vice Appearance of Attorney Natalie C. Kennedy and Yi Zhang – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 08/16/2022)
08/16/2022		ORAL ORDER, Telephonic status hearing held on 8/16/2022. The parties are directed to file by 8/26/2022 a joint status report with an agreed upon schedule for this case and Case No. 22–cv–595 consistent with the Courts comments. The parties are also

		directed to send a proposed scheduling order consistent with their joint status report to Judge Kennellys proposed orders email address. The Court will set a further status hearing once it enters the anticipated scheduling order. The motion of Natalie Kennedy and Yi Zhang to appear pro hac vice is granted <u>45</u> . Signed by Judge Matthew F Kennelly on 8/16/2022. (apk) (Entered: 08/16/2022)
08/17/2022		Pro Hac Vice Attorney Natalie C. Kennedy for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 08/17/2022)
08/17/2022		Pro Hac Vice Attorney Yi Zhang for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 08/17/2022)
08/25/2022	<u>46</u>	MOTION for Pro Hac Vice Appearance of Attorney Ronald J. Pabis – filed by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 08/25/2022)
08/26/2022	<u>47</u>	Joint STATUS REPORT <i>with Agreed Schedule and Agreed Discovery Coordination</i> by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 08/26/2022)
08/26/2022	<u>48</u>	Joint STIPULATION TO EXTEND TIME for the parties to submit a proposed scheduling order consistent with their joint status report, pursuant to the Court's August 16, 2022 Oral Order to August 31, 2022 – filed by 10X Genomics, Inc., President and Fellows of Harvard College. (Clark, Cameron) (Entered: 08/26/2022)
08/30/2022	<u>49</u>	ANSWER to <u>43</u> Answer to Amended Complaint, Counterclaim , <i>Defenses and</i> , COUNTERCLAIM against NanoString Technologies, Inc. by 10X Genomics, Inc., President and Fellows of Harvard College.(Jacobs, Karen) (Entered: 08/30/2022)
08/31/2022	<u>50</u>	STIPULATION TO EXTEND TIME to Submit Scheduling Order to September 7, 2022 – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 08/31/2022)
09/12/2022	<u>51</u>	NOTICE OF SUBSTITUTION OF COUNSEL re President and Fellows of Harvard College: Entry of appearance of attorney Kenneth Laurence Dorsney. Attorney Karen Jacobs and Cameron P. Clark terminated. (Dorsney, Kenneth) (Entered: 09/12/2022)
09/12/2022	<u>52</u>	MOTION for Pro Hac Vice Appearance of Attorney Geoffrey M. Raux, Attorney Ruben J. Rodrigues and Attorney Michael J. Tuteur – filed by President and Fellows of Harvard College. (Dorsney, Kenneth) (Entered: 09/12/2022)
09/13/2022	<u>53</u>	NOTICE OF SERVICE of (i) Initial Disclosures of Defendant NanoString Technologies, Inc. and (ii) NanoString Technologies, Inc.'s Disclosures Pursuant to Paragraph 3 of the Default Standard for Discovery filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 09/13/2022)
09/13/2022	<u>54</u>	NOTICE OF SERVICE of (1) 10x's Supplemental Disclosure Pursuant to Paragraph 3 of the Delaware Default Standard for Discovery and (2) 10x's Supplemental Initial Disclosures Pursuant to Fed. R. Civ. P. 26(A)(1) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 09/13/2022)
09/19/2022	<u>55</u>	SCHEDULING ORDER: Joinder of Parties due by 6/23/2023. Discovery due by 11/17/2023. Opening Expert Reports due by 12/15/2023. Rebuttal Expert Reports due by 2/21/2024. Expert Discovery due by 3/13/2024. Dispositive Motions due by 4/5/2024. Answering Brief due 4/26/2024. Reply Brief due 5/3/2024. Claim Construction Opening Brief due by 5/3/2023. Claim Construction Answering Brief due by 5/31/2023. Claim Construction Reply Brief due by 6/14/2023. Joint Claim Construction Brief due by 6/28/2023. A Markman Hearing is set for 7/14/2023 at 10:00 AM before Judge Matthew F Kennelly. A Pretrial Conference for 22-cv-261 is set for 6/10/2024 at 10:00 AM before Judge Matthew F Kennelly. An 8-day Jury Trial for 22-cv-261 is set for 6/17/2024 at 09:30 AM before Judge Matthew F Kennelly. A Pretrial Conference for 22-cv-595 is set for 7/8/2024 at 10:00 AM before Judge Matthew F Kennelly. An 8-day Jury Trial for 22-cv-595 is set for 7/15/2024 at 09:30 AM before Judge Matthew F Kennelly. Signed by Judge Matthew F Kennelly on 09/19/2022. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK(sm)g)

		(Entered: 09/19/2022)
09/19/2022	<u>56</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Disclosure Pursuant to Paragraph 4 of the Delaware Default Standard for Discovery filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 09/19/2022)
09/20/2022	<u>57</u>	ANSWER to <u>49</u> Answer to Counterclaim, by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 09/20/2022)
09/21/2022	<u>58</u>	MOTION for Pro Hac Vice Appearance of Attorney Yiqun Zhang – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 09/21/2022)
09/30/2022	<u>59</u>	STIPULATION and [Proposed] Order Amending the Court's Default Standard for Discovery, Including Electronically Stored Information by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 09/30/2022)
10/03/2022	<u>60</u>	SO ORDERED, re (50 in 1:22-cv-00595-MFK, 59 in 1:22-cv-00261-MFK) Stipulation filed by 10X Genomics, Inc. Signed by Judge Matthew F Kennelly on 10/03/2022. Associated Cases: 1:22-cv-00595-MFK, 1:22-cv-00261-MFK(smg) (Entered: 10/03/2022)
11/14/2022	<u>61</u>	SO ORDERED, re <u>58</u> MOTION for Pro Hac Vice Appearance of Attorney Yiqun Zhang filed by NanoString Technologies, Inc., <u>52</u> MOTION for Pro Hac Vice Appearance of Attorney Geoffrey M. Raux, Attorney Ruben J. Rodrigues and Attorney Michael J. Tuteur filed by President and Fellows of Harvard College. Ordered by Judge Matthew F Kennelly on 11/14/2022. (smg) (Entered: 11/14/2022)
11/16/2022	<u>62</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s First Set of Interrogatories Nos. (1-4) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 11/16/2022)
11/17/2022		Pro Hac Vice Attorney Yiqun Zhang for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 11/17/2022)
11/18/2022	<u>63</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s First Set of Requests for Production (Nos. 1-25) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 11/18/2022)
11/23/2022	<u>64</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Initial Infringement Contentions filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 11/23/2022)
11/23/2022	<u>65</u>	MOTION to Sever <i>Claims Relating to U.S. Patent No. 11,377,689 and Consolidate Them With Case No. 22-1375-MFK</i> – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 11/23/2022)
11/23/2022	<u>66</u>	OPENING BRIEF in Support re <u>65</u> MOTION to Sever <i>Claims Relating to U.S. Patent No. 11,377,689 and Consolidate Them With Case No. 22-1375-MFK</i> filed by 10X Genomics, Inc..Answering Brief/Response due date per Local Rules is 12/7/2022. (Attachments: # <u>1</u> Exhibits 1-10)(Clark, Cameron) (Entered: 11/23/2022)
11/23/2022	<u>67</u>	NOTICE OF SERVICE of Harvard's notice regarding paragraph 4(c) disclosures filed by President and Fellows of Harvard College.(Hitch, Cortlan) (Entered: 11/23/2022)
11/23/2022	<u>68</u>	NOTICE OF SERVICE of 10x Genomics, Inc.'s Initial Infringement Contentions filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 11/23/2022)
12/05/2022	<u>69</u>	ANSWERING BRIEF in Opposition re <u>65</u> MOTION to Sever <i>Claims Relating to U.S. Patent No. 11,377,689 and Consolidate Them With Case No. 22-1375-MFK</i> filed by NanoString Technologies, Inc..Reply Brief due date per Local Rules is 12/12/2022. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Farnan, Michael) (Entered: 12/05/2022)
12/06/2022	<u>70</u>	NOTICE OF SERVICE of 10x's Amended Supplemental Disclosure Pursuant to Paragraph 3 Of the Delaware Default Standard for Discovery filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 12/06/2022)

12/09/2022	<u>71</u>	STIPULATION and [Proposed] Order regarding briefing schedule by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 12/09/2022)
12/16/2022	<u>72</u>	NOTICE OF SERVICE of (1) 10x's Objections and Responses to NanoString's First Set of Interrogatories (Nos. 1-4) and (2) 10x's Second Set of Interrogatories to NanoString Technologies Inc. (Nos. 9-11) filed by 10X Genomics, Inc..(Jacobs, Karen) (Entered: 12/16/2022)
12/16/2022	<u>73</u>	NOTICE OF SERVICE of Plaintiff President and Fellows of Harvard College's responses to NanoString Technologies, Inc.'s First Set of Interrogatories (Nos. 1-4) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 12/16/2022)
12/19/2022	<u>74</u>	NOTICE OF SERVICE of responses to first set of requests for production (Nos. 1-25) filed by President and Fellows of Harvard College.(Hitch, Cortlan) (Entered: 12/19/2022)
12/19/2022	<u>75</u>	NOTICE OF SERVICE of 10x's Objections and Responses to NanoString Technologies, Inc.'s First Set of Requests for Production (Nos. 1-25) filed by 10X Genomics, Inc..(Jacobs, Karen) (Entered: 12/19/2022)
12/21/2022	<u>76</u>	BRIEF (Combined Answering and Reply) re <u>65</u> MOTION to Sever <i>Claims Relating to U.S. Patent No. 11,377,689 and Consolidate Them With Case No. 22-1375-MFK</i> filed by 10X Genomics, Inc., President and Fellows of Harvard College.Reply Brief due date per Local Rules is 12/28/2022. (Attachments: # <u>1</u> Exhibit 11, # <u>2</u> Exhibit 12)(Clark, Cameron) (Entered: 12/21/2022)
12/27/2022	<u>77</u>	NOTICE OF SERVICE of 10X Genomics, Inc.'s Initial Invalidity Contentions filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 12/27/2022)
12/30/2022	<u>78</u>	ORAL ORDER, Motion of Ronald Pabis to appear pro hac vice <u>46</u> is granted. Stipulations to extend time <u>40</u> , <u>41</u> , <u>48</u> , <u>50</u> are moot. Signed by Judge Matthew F Kennelly on 12/30/2022. (apk) (Entered: 12/30/2022)
01/03/2023	<u>79</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Initial Invalidity Contentions filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/03/2023)
01/05/2023		Pro Hac Vice Attorney Ronald J. Pabis for 10X Genomics, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 01/05/2023)
01/06/2023	<u>80</u>	NOTICE of Subsequent Authority by 10X Genomics, Inc. (Attachments: # <u>1</u> Attachment)(Clark, Cameron) (Entered: 01/06/2023)
01/11/2023		Pro Hac Vice Attorney Geoffrey M. Raux and Michael J. Tuteur for President and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 01/11/2023)
01/12/2023		Pro Hac Vice Attorney Ruben J. Rodrigues for President and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 01/12/2023)
01/12/2023	<u>81</u>	REQUEST for Oral Argument by 10X Genomics, Inc. re <u>65</u> MOTION to Sever <i>Claims Relating to U.S. Patent No. 11,377,689 and Consolidate Them With Case No. 22-1375-MFK</i> . (Clark, Cameron) (Entered: 01/12/2023)
01/17/2023	<u>82</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Responses and Objections to 10x's Second Set of Interrogatories (Nos. 9-11) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/17/2023)
01/24/2023	<u>83</u>	ORDER, 10X Genomics' motion to sever and consolidate (Case No. 22-cv-261, dkt no. <u>65</u>) is granted, and NanoString's motion to consolidate (Case No. 22-cv-1375, dkt no. 16) is denied. NanoString's infringement counterclaim regarding the '689 patent, now part of Case No. 22-cv-261, is stricken without prejudice, and NanoString is directed to promptly file an amended complaint in Case No. 22-cv-1375 that includes that claim of infringement. Signed by Judge Matthew F Kennelly on 1/24/2023. (apk)

		(Entered: 01/24/2023)
01/25/2023	<u>84</u>	STIPULATION TO EXTEND TIME for substantial completion of production of ESI collected using a party's own search term and the deadline for the parties to exchange ESI search terms for opposing parties' custodians and data sources to February 22, 2023 and March 10, 2023 – filed by Vizgen, Inc.. (Kraman, Pilar) (Entered: 01/25/2023)
02/03/2023	<u>85</u>	MOTION for Pro Hac Vice Appearance of Attorney Sarah E. Rieger – filed by President and Fellows of Harvard College. (Dorsney, Kenneth) (Entered: 02/03/2023)
02/03/2023	<u>86</u>	STIPULATION TO EXTEND TIME for the parties to exchange claim terms and proposed constructions to a new deadline that shall be included in a joint scheduling proposal to be submitted to the Court by February 8, 2023 – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 02/03/2023)
02/06/2023	<u>87</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Second Set of Interrogatories (Nos. 5–7) and (ii) NanoString Technologies, Inc.'s Second Set of Requests for Production (Nos. 26–39) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 02/06/2023)
02/08/2023	<u>88</u>	STATUS REPORT <i>Regarding Case Scheduling</i> by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 02/08/2023)
02/24/2023	<u>89</u>	NOTICE OF SERVICE of Nanostring Technologies, Inc.'s First Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories (No. 1) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 02/24/2023)
03/01/2023	<u>90</u>	Unopposed MOTION for Leave to File <i>Their Second Amended Complaint</i> – filed by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Jacobs, Karen) (Entered: 03/01/2023)
03/01/2023	<u>91</u>	SO ORDERED, regarding D.I. <u>90</u> Unopposed MOTION for Leave to File <i>Their Second Amended Complaint</i> filed by 10X Genomics, Inc. Signed by Judge Matthew F Kennelly on 3/1/2023. (apk) (Entered: 03/01/2023)
03/01/2023	<u>92</u>	Second AMENDED COMPLAINT against NanoString Technologies, Inc. – filed by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibits 1–14, # <u>2</u> Attachments A–E)(Clark, Cameron) (Entered: 03/01/2023)
03/01/2023	<u>93</u>	[SEALED] EXHIBIT re <u>92</u> Amended Complaint -- <i>Attachment F to Second Amended Complaint</i> -- by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 03/01/2023)
03/08/2023	<u>94</u>	REDACTED VERSION of <u>93</u> Exhibit to a Document -- <i>Attachment F to Second Amended Complaint</i> -- by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 03/08/2023)
03/08/2023	<u>95</u>	NOTICE OF SERVICE of (1) 10x's Objections and Responses to NanoString's Second Set of Interrogatories (Nos. 5–7) and (2) 10x's Objections and Responses to NanoString Technologies, Inc.'s Second Set of Requests for Production (Nos. 26–39) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 03/08/2023)
03/08/2023	<u>96</u>	NOTICE OF SERVICE of (1) President and Fellows of Harvard College's Objections and Responses to NanoString's Second Set of Interrogatories (Nos. 5–7) and; (2) President and Fellows of Harvard College's Objections and Responses to NanoString's Second Set of Requests for Production (Nos. 26–39) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 03/08/2023)
03/15/2023	<u>97</u>	STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to Second Amended Complaint to March 22, 2023 – filed by NanoString Technologies, Inc.. (Farnan, Michael) (Entered: 03/15/2023)
03/21/2023	<u>98</u>	NOTICE requesting Clerk to remove Yiqun Zhang as co-counsel.. (Farnan, Brian) (Entered: 03/21/2023)
03/22/2023	<u>99</u>	ANSWER to Amended Complaint, re: <u>92</u> Amended Complaint with Jury Demand , COUNTERCLAIM against 10X Genomics, Inc., President and Fellows of Harvard College by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 03/22/2023)

03/24/2023	<u>100</u>	NOTICE OF SERVICE of Supplemental Initial Infringement Contentions for United States Patent No. 11,542,554 filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 03/24/2023)
03/30/2023	<u>101</u>	MOTION to Strike – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Farnan, Brian) (Entered: 03/30/2023)
03/31/2023	<u>102</u>	Joint STIPULATION TO EXTEND TIME for the parties to submit a proposal for coordination of depositions with respect to overlapping witnesses to June 20, 2023 – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 03/31/2023)
04/05/2023	103	ORAL ORDER, The Court hereby adopts the scheduling proposal made by Nanostring and Vizgen in the joint status report filed on 2/8/2023. The claim construction hearing is set for 12/15/2023 at 10:00 AM Central time (11:00 AM Eastern time). The Court adopts the proposed trial dates for now but reserves the right to modify them. Counsel are directed to prepare scheduling orders for entry in each of the cases covered in the report and are to provide Word versions to Judge Kennelly's proposed order e-mail address by no later than 4/10/2023. Ordered by Judge Matthew F Kennelly on 4/5/2023. (twk) (Entered: 04/05/2023)
04/10/2023	<u>104</u>	PROPOSED ORDER Regarding Scheduling by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 04/10/2023)
04/11/2023	<u>105</u>	Revised SCHEDULING ORDER: Fact Discovery Cut Off by 3/15/2024. Opening Expert Reports due by 4/5/2024. Rebuttal Expert Reports due by 5/10/2024. Reply Expert Reports due by 6/7/2024. Completion of Expert Discovery by 6/21/2024. A Final Pretrial Conference is set for 9/23/2024 at 10:00 AM before Judge Matthew F Kennelly. An 8-day Jury Trial is set to begin 9/30/2024 at 9:30 AM before Judge Matthew F Kennelly. (See Order for further deadlines and hearings). Signed by Judge Matthew F Kennelly on 4/11/2023. (twk) (Entered: 04/11/2023)
04/12/2023	<u>106</u>	ANSWER to <u>99</u> Answer to Amended Complaint, Counterclaim -- <i>Answer to Counterclaims</i> -- by 10X Genomics, Inc..(Clark, Cameron) (Entered: 04/12/2023)
04/13/2023	<u>107</u>	ANSWERING BRIEF in Opposition re <u>101</u> MOTION to Strike filed by 10X Genomics, Inc..Reply Brief due date per Local Rules is 4/20/2023. (Attachments: # <u>1</u> Exhibits A-C)(Jacobs, Karen) (Entered: 04/13/2023)
04/20/2023	<u>108</u>	REPLY BRIEF re <u>101</u> MOTION to Strike filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 04/20/2023)
04/25/2023	109	ORAL ORDER, Defendant has moved to strike count 1 of plaintiffs' amended complaint; this count is a claim of infringement regarding the '639 patent. The Court denies the motion <u>101</u> . The '639 patent has been in the case from the outset; the amended complaint is not untimely; the claim is not futile; and defendant has not shown it would be unfairly prejudiced by its inclusion. The Court is also unpersuaded that the parties had a binding agreement that plaintiff would not assert the '639 patent or would drop it in return for other consideration. In addition if the Court were to strike the '639 patent it likely would lead to a separate lawsuit asserting that patent; this would increase the overall burden upon both parties. If the amendment reasonably requires a revision of the coordinated case management schedule for this case and Case Nos. 22-595 and 22-1375 – which the Court doubts (with the possible exception of the number of claim terms to be offered for construction) – the Court will consider such a request if it is timely made. Ordered by Judge Matthew F Kennelly on 4/25/2023. (twk) (Entered: 04/25/2023)
04/27/2023	<u>110</u>	MOTION to Amend/Correct <u>99</u> Answer to Amended Complaint, Counterclaim – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Farnan, Brian) (Entered: 04/27/2023)
04/27/2023	<u>111</u>	MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Compliance)(Farnan, Brian) (Entered: 04/27/2023)
04/27/2023	<u>112</u>	OPENING BRIEF in Support re <u>111</u> MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by NanoString Technologies, Inc..Answering Brief/Response due date per Local Rules is 5/11/2023. (Farnan, Brian) (Entered: 04/27/2023)

04/27/2023	<u>113</u>	DECLARATION re <u>111</u> MOTION for Temporary Restraining Order <i>and Preliminary Injunction of Nicole Droste</i> by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 04/27/2023)
04/27/2023	<u>114</u>	MOTION to Expedite <i>Briefing</i> – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Compliance)(Farnan, Brian) (Entered: 04/27/2023)
04/27/2023	<u>115</u>	DECLARATION re <u>114</u> MOTION to Expedite <i>Briefing of Amanda K. Branch</i> by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 (1 of 3), # <u>3</u> Exhibit 2 (2 of 3), # <u>4</u> Exhibit 2 (3 of 3), # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13)(Farnan, Brian) (Entered: 04/27/2023)
04/28/2023	116	ORAL ORDER: Defendant has filed a motion for a TRO and preliminary injunction along with a motion for expedited briefing. The case is set for a telephonic scheduling conference today (4/28/2023) at 11:30 AM Eastern time. The following call-in number will be used: 888-684-8852; access code 746-1053. Ordered by Judge Matthew F Kennelly on 04/28/2023. (smg) (Entered: 04/28/2023)
04/28/2023	117	Telephonic hearing held with attorneys for all parties. Nanostring's motion for temporary restraining order and preliminary injunction <u>111</u> and motion for expedited briefing <u>114</u> are withdrawn without prejudice. Nanostring's motion to amend <u>110</u> is held in abeyance pending a likely modification. The parties are to meet and confer by 5/5/2023 regarding scheduling issues arising from the German proceedings and are to file a joint status report with any proposals by 5/9/2023. Telephonic status hearing is set for 5/16/2023 at 8:30 a.m. Central Time (9:30 a.m. Eastern Time). The following call-in number will be used: 888-684-8852; access code 746-1053. (Joint Status Report due by 5/9/2023.); (A Status Conference is set for 5/16/2023 at 09:30 AM in Telephonically before Judge Matthew F Kennelly). (apk) (Entered: 04/28/2023)
05/01/2023	<u>118</u>	NOTICE OF SERVICE of 10X Genomics, Inc.'s First Supplemental Objections and Responses to Nanostring's First Set of Interrogatories (No. 3) – filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 05/01/2023)
05/01/2023	<u>119</u>	MOTION to Amend/Correct <u>99</u> Answer to Counterclaim, <u>11</u> Answer to Complaint, Counterclaim – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D – Part 1 of 3, # <u>5</u> Exhibit D – Part 2 of 3, # <u>6</u> Exhibit D – Part 3 of 3, # <u>7</u> Exhibit E)(Farnan, Brian) Modified on 5/2/2023 (jdb). (Attachment 1 replaced on 6/6/2023) (mkr). (Attachment 2 replaced on 6/6/2023) (mkr). (Attachment 4 replaced on 6/6/2023) (mkr). (Attachment 5 replaced on 6/6/2023) (mkr). (Attachment 6 replaced on 6/6/2023) (mkr). (Entered: 05/01/2023)
05/02/2023		CORRECTING ENTRY: D.I. <u>119</u> modified to reflect the correct link of D.I. <u>99</u> per counsel's request. (jdb) (Entered: 05/02/2023)
05/02/2023	<u>120</u>	MOTION for Pro Hac Vice Appearance of Attorney Eric S. Hochstadt – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 05/02/2023)
05/02/2023		SO ORDERED, regarding D.I. <u>120</u> MOTION for Pro Hac Vice Appearance of Attorney Eric S. Hochstadt. Signed by Judge Matthew F Kennelly on 05/02/2023. (apk) (Entered: 05/02/2023)
05/02/2023		Pro Hac Vice Attorney Eric S. Hochstadt for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (jdb) (Entered: 05/02/2023)
05/02/2023	121	ORAL ORDER, Any objection to defendant's motion to amend <u>119</u> is to be filed by 5/15/2023; reply is to be filed by 5/22/2023. Telephonic hearing unless deemed unnecessary by the Court is set for 6/2/2023 at 8:30 AM. The following call-in number will be used: 888-684-8852; access code 746-1053. Ordered by Judge Matthew F Kennelly on 5/2/2023. (twk) (Entered: 05/03/2023)
05/03/2023	122	ORAL ORDER: The briefing schedule entered on 5/2/2023 121 is vacated. The telephonic status hearing set for 6/2/2023 is also vacated. The parties are directed to follow the deadlines in the 4/28/2023 order 117 . Case remains set for a telephonic status hearing on 5/16/2023 at 8:30 a.m. Central Time (9:30 a.m. Eastern Time).

		Ordered by Judge Matthew F Kennelly on 05/03/2023. (smg) (Entered: 05/03/2023)
05/03/2023	<u>123</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Third Set of Requests for Production (Nos. 40–57) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 05/03/2023)
05/09/2023	<u>124</u>	Joint STATUS REPORT <i>Regarding Case Scheduling</i> – by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 05/09/2023)
05/09/2023	<u>125</u>	MOTION to Bifurcate – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Rule 7.1.1 Certification, # <u>2</u> Text of Proposed Order)(Farnan, Brian) (Entered: 05/09/2023)
05/09/2023	<u>126</u>	MOTION for Expedited Discovery – filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Rule 7.1.1 Certification, # <u>6</u> Text of Proposed Order)(Farnan, Brian) (Entered: 05/09/2023)
05/10/2023	<u>127</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Fourth Set of Requests for Production (Nos. 58–60) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 05/10/2023)
05/10/2023	128	ORAL ORDER, The Court has reviewed the parties' joint status report. The Court previously entered an order setting a schedule on NanoString's motion for leave to file amended answer (etc.). See D.I. 121 . That order trumps the default schedule in the Local Rules. The Court does not intent to revise the schedule and again directs the parties to adhere to it. Any objection by any party to NanoString's motion to bifurcate and motion for expedited discovery is to be filed by 5/24/2023. Reply to response(s) is to be filed by 5/31/2023. Telephonic hearing is set for the same date and time as the hearing on the motion for leave to file amended answer: 6/2/2023 at 8:30 AM Central time (9:30 AM Eastern Time). The following call–in number will be used: 888–684–8852; access code 746–1053. (A Telephone Conference is set for 6/2/2023 at 09:30 AM in Telephonically before Judge Matthew F Kennelly). Signed by Judge Matthew F Kennelly on 5/10/2023. (apk) (Entered: 05/10/2023)
05/11/2023	129	ORAL ORDER, It appears that the Court entered conflicting orders on NanoString's motion to amend its answer and counterclaim. This order supersedes any previous orders in that regard. NanoString's original motion to amend <u>110</u> has been superseded and is therefore moot. On NanoString's revised motion to amend <u>119</u> the response is due on 5/16/2023; any reply is due on 5/23/2023. On NanoString's motion to bifurcate <u>125</u> and motion for expedited discovery <u>126</u> the schedule remains as it was set in the order of 5/10/2023 128: the response is due on 5/24/2023; the reply is due on 5/31/2023. In light of the filing of the joint status report <u>124</u> and the latter motions the telephonic status hearing that had been set for 5/16/2023 is vacated. The next telephonic hearing will be on 6/2/2023 at 8:30 AM Central Time (9:30 AM Eastern Time). The following call–in number will be used: 888–684–8852; access code 746–1053. That will be a status hearing as well as a hearing on the three motions unless the Court deems a hearing on the motions to be unnecessary. Signed by Judge Matthew F Kennelly on 5/11/2023. (apk) (Entered: 05/11/2023)
05/12/2023	130	ORAL ORDER, Attorney Sarah E. Rieger's motion to appear pro hac vice <u>85</u> is granted. Ordered by Judge Matthew F Kennelly on 5/12/2023. (twk) (Entered: 05/12/2023)
05/12/2023		Pro Hac Vice Attorney Sarah E. Rieger for President and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:22–cv–00595–MFK, 1:22–cv–00261–MFK(mpb) (Entered: 05/12/2023)
05/16/2023	<u>131</u>	ANSWERING BRIEF in Opposition re <u>119</u> MOTION to Amend/Correct <u>106</u> Answer to Counterclaim, <u>11</u> Answer to Complaint, Counterclaim filed by 10X Genomics, Inc., President and Fellows of Harvard College.Reply Brief due date per Local Rules is 5/23/2023. (Attachments: # <u>1</u> Exhibits 1–6)(Clark, Cameron) (Entered: 05/16/2023)
05/17/2023	<u>132</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Supplemental Initial Invalidity Contentions filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 05/17/2023)

05/22/2023	<u>133</u>	ORAL ORDER, Due to an unanticipated scheduling conflict the telephonic hearing set for 8:30 AM Central time on 6/2/2023 is reset to 9:30 AM Central time on that date (10:30 AM Eastern time). As before the Court reserves the right to vacate the hearing if it determines a hearing is not needed. Ordered by Judge Matthew F Kennelly on 5/22/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK(twk) (Entered: 05/22/2023)
05/22/2023	<u>134</u>	NOTICE OF SERVICE of Plaintiffs' Identification of 20 Asserted Claims filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 05/22/2023)
05/23/2023	<u>135</u>	REPLY BRIEF re <u>119</u> MOTION to Amend/Correct <u>106</u> Answer to Counterclaim, <u>11</u> Answer to Complaint, Counterclaim filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A)(Farnan, Brian) (Entered: 05/23/2023)
05/24/2023	<u>136</u>	STATEMENT re 128 Oral Order,,,, Set Deadlines,,,, Set Hearings,,, [INTERESTED PARTY VIZGEN, INC.'S OBJECTIONS TO NANOSTRING'S MOTIONS IN ADVANCE OF JUNE 2 TELECONFERENCE] by Vizgen, Inc.. (Kraman, Pilar) (Entered: 05/24/2023)
05/24/2023	<u>137</u>	ANSWERING BRIEF in Opposition re <u>125</u> MOTION to Bifurcate filed by 10X Genomics, Inc..Reply Brief due date per Local Rules is 5/31/2023. (Attachments: # <u>1</u> Exhibits 1-5)(Clark, Cameron) (Entered: 05/24/2023)
05/24/2023	<u>138</u>	ANSWERING BRIEF in Opposition re <u>126</u> MOTION for Expedited Discovery filed by President and Fellows of Harvard College.Reply Brief due date per Local Rules is 5/31/2023. (Dorsney, Kenneth) (Entered: 05/24/2023)
05/30/2023	<u>139</u>	REQUEST for Oral Argument by 10X Genomics, Inc., President and Fellows of Harvard College re <u>119</u> MOTION to Amend/Correct <u>106</u> Answer to Counterclaim, <u>11</u> Answer to Complaint, Counterclaim . (Clark, Cameron) (Entered: 05/30/2023)
05/31/2023	<u>140</u>	RESPONSE TO OBJECTIONS by NanoString Technologies, Inc. re <u>136</u> Statement . (Farnan, Brian) (Entered: 05/31/2023)
05/31/2023	<u>141</u>	REPLY BRIEF re <u>125</u> MOTION to Bifurcate filed by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A)(Farnan, Brian) (Entered: 05/31/2023)
05/31/2023	<u>142</u>	REPLY BRIEF re <u>126</u> MOTION for Expedited Discovery filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 05/31/2023)
06/02/2023	<u>143</u>	NOTICE OF SERVICE of President and Fellows Harvard College's Responses to NanoString Technologies, Inc.'s Third Set of Requests for Production (Nos. 40-57) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 06/02/2023)
06/04/2023	<u>144</u>	Letter to The Honorable Matthew F. Kennelly from Brian E. Farnan regarding Replacement Exhibits A, B, and D to Defendant's Motion for Leave to File Second Amended Answer, Affirmative Defenses, and Counterclaims – re <u>119</u> MOTION to Amend/Correct <u>106</u> Answer to Counterclaim, <u>11</u> Answer to Complaint, Counterclaim . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit D – Part 1 of 3, # <u>4</u> Exhibit D – Part 2 of 3, # <u>5</u> Exhibit D – Part 3 of 3)(Farnan, Brian) (Entered: 06/04/2023)
06/05/2023	<u>145</u>	NOTICE OF SERVICE of 10x's Objections and Responses to Nanostring Technologies, Inc.s Third Set of Requests for Production (Nos. 40-57) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 06/05/2023)
06/05/2023	<u>146</u>	Letter to The Honorable Matthew F. Kennelly from Cameron P. Clark regarding Electronic Copies of Plaintiffs' Opposition Briefs and Exhibits – re (138 in 1:22-cv-00261-MFK) Answering Brief in Opposition, (131 in 1:22-cv-00261-MFK) Answering Brief in Opposition, (137 in 1:22-cv-00261-MFK) Answering Brief in Opposition, (156 in 1:22-cv-00595-MFK) Opening Brief in Support,. (Clark, Cameron) (Entered: 06/05/2023)
06/06/2023	<u>147</u>	NOTICE OF SERVICE of Defendant's proposed terms and constructions filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 06/06/2023)
06/06/2023	<u>148</u>	ORDER denying <u>125</u> Motion to Bifurcate and granting <u>126</u> MOTION for Expedited Discovery. (See Order for further details.) Signed by Judge Matthew F Kennelly on

		06/06/2023. (smg) (Entered: 06/06/2023)
06/12/2023	<u>149</u>	NOTICE OF SERVICE of 10x's Objections and Responses to Nanostring Technologies, Inc.'s Fourth Set of Requests for Production (Nos. 58-60) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 06/12/2023)
06/12/2023	<u>150</u>	NOTICE OF SERVICE of President and Fellows Harvard College's Responses to NanoString Technologies, Inc.'s Fourth Set of Requests for Production (Nos. 58-60) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 06/12/2023)
06/20/2023	<u>151</u>	STIPULATION and [Proposed] Order Extending Deadline for Submission re: Coordination of Depositions of Overlapping Witnesses by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 06/20/2023)
06/20/2023	<u>152</u>	SO ORDERED, re (181 in 1:22-cv-00595-MFK, 151 in 1:22-cv-00261-MFK) STIPULATION and [Proposed] Order Extending Deadline for Submission re: Coordination of Depositions of Overlapping Witnesses by 10X Genomics, Inc. Ordered by Judge Matthew F Kennelly on 06/20/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK(smg) (Entered: 06/21/2023)
06/23/2023	<u>153</u>	NOTICE OF SERVICE of Plaintiffs' Proposed Constructions for Claim Terms Identified by NanoString in June 2, 2023 Claim Term Exchange filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 06/23/2023)
06/29/2023	<u>154</u>	Joint STATEMENT <i>Joint Submission of Alternative Proposals Regarding Coordination of Depositions of Overlapping Witnesses</i> by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 06/29/2023)
07/03/2023	<u>155</u>	ORAL ORDER, The Court has reviewed the joint submission of alternative proposals regarding coordination of depositions of overlapping witnesses. The Court adopts the proposal by 10X and Harvard with the following modifications. (1) For overlapping witnesses other than Dr. Church the total deposition time will be up to nine hours over no more than two consecutive days. (2) For Dr. Church the total deposition time will be up to twelve hours over no more than two consecutive days. (3) For witnesses deposed under both Rule 30(b)(1) and Rule 30(b)(6) the parties are directed to confer in good faith on a witness-by-witness basis regarding addition of time to the foregoing limits. Entered by Judge Matthew F Kennelly on 7/3/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK (nmg) (Entered: 07/03/2023)
07/10/2023	<u>156</u>	MEMORANDUM OPINION AND ORDER: The Court grants NanoString's motion for leave to amend but denies the motion [dkt. no. <u>119</u>] with respect to counterclaim 17. (See Memorandum Opinion and Order for further details) Signed by Judge Matthew F Kennelly on 07/10/2023. (smg) (Entered: 07/10/2023)
07/18/2023	<u>157</u>	AMENDED ANSWER to <u>92</u> Amended Complaint, COUNTERCLAIM against 10X Genomics, Inc., President and Fellows of Harvard College by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Farnan, Brian) (Entered: 07/18/2023)
07/21/2023	<u>158</u>	NOTICE OF SERVICE of Plaintiffs' Supplemental Identification of Accused Products filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 07/21/2023)
07/31/2023	<u>159</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Third Set of Interrogatories (Nos. 8-11) and (ii) NanoString Technologies, Inc.'s Fifth Set of Requests for Production (Nos. 61-71) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 07/31/2023)
08/01/2023	<u>160</u>	ANSWER to <u>157</u> Amended Answer to Complaint, Counterclaim <i>Harvard's Answer to NanoString's First Amended Counterclaims to Second Amended Complaint</i> by President and Fellows of Harvard College.(Dorsney, Kenneth) Modified on 8/3/2023 to unseal document per D.I. 163 So ordered (twk). (Entered: 08/01/2023)
08/01/2023	<u>161</u>	ANSWER to <u>157</u> Amended Answer to Complaint, Counterclaim -- <i>10x Genomics, Inc.'s Answer & Defenses to Nanostring' Amended Counterclaims to 10x and Harvard's Second Amended Complaint</i> -- by 10X Genomics, Inc..(Clark, Cameron) (Entered: 08/01/2023)

08/03/2023	<u>162</u>	STIPULATION to Unseal Harvard's Answer to NanoString's First Amended Counterclaims to Plaintiffs' Second Amended Complaint by President and Fellows of Harvard College. (Hitch, Cortlan) (Entered: 08/03/2023)
08/03/2023	163	SO ORDERED, re <u>162</u> STIPULATION to Unseal Harvard's Answer to NanoString's First Amended Counterclaims to Plaintiffs' Second Amended Complaint. Ordered by Judge Matthew F Kennelly on 8/3/2023. (twk) (Entered: 08/03/2023)
08/04/2023	<u>164</u>	CLAIM Construction Chart by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Clark, Cameron) (Entered: 08/04/2023)
08/15/2023	<u>165</u>	MOTION for Pro Hac Vice Appearance of Attorney Lea Gulotta James – filed by President and Fellows of Harvard College. (Dorsney, Kenneth) (Entered: 08/15/2023)
08/15/2023	166	SO ORDERED, re (208 in 1:22-cv-00595-MFK, 165 in 1:22-cv-00261-MFK) MOTION for Pro Hac Vice Appearance of Attorney Lea Gulotta James. Ordered by Judge Matthew F Kennelly on 8/15/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK(twk) (Entered: 08/15/2023)
08/16/2023	<u>167</u>	NOTICE of Subpoenas to Deerfield Management Company, LP and Braidwell LP by 10X Genomics, Inc. (Attachments: # <u>1</u> Exhibit 1 – Subpoena to Deerfield Management Company, # <u>2</u> Exhibit 2 – Subpoena to Braidwell LP)(Clark, Cameron) (Entered: 08/16/2023)
08/16/2023		Pro Hac Vice Attorney Lea G. James for President and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (twk) (Entered: 08/16/2023)
08/18/2023	<u>168</u>	NOTICE OF SERVICE of Defendants' Joint Opening Claim Construction Brief filed by Vizgen, Inc..(Kraman, Pilar) (Entered: 08/18/2023)
08/21/2023	<u>169</u>	NOTICE OF SERVICE of 10x Genomics, Inc.'s Opening Claim Construction Brief and Declaration of Rahul Satija, D. Phil in Support of 10x's Opening Claim Construction Brief --- filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 08/21/2023)
08/22/2023	<u>170</u>	NOTICE OF SERVICE of 1) 10x's Second Set of Requests for Production to NanoString (Nos. 93–186); 2) 10x's 4th Set of Interrogatories to NanoString (Nos. 16–17); and 3) 10x's First Set of Requests for Admission to NanoString (Nos. 1–34) filed by 10X Genomics, Inc..(Jacobs, Karen) (Entered: 08/22/2023)
08/25/2023	<u>171</u>	STIPULATION TO EXTEND TIME Stipulation and [Proposed] Order Extending Deadline for Substantial Completion of Document Production to (various see stipulation) – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 08/25/2023)
08/25/2023	172	SO ORDERED, regarding D.I. <u>171</u> STIPULATION TO EXTEND TIME Stipulation and Proposed Order Extending Deadline for Substantial Completion of Document Production. Signed by Judge Matthew F Kennelly on 8/25/2023. (apk) (Entered: 08/25/2023)
08/25/2023	173	ORAL ORDER, The parties have advised the Court that there is a discovery dispute that they need the Court to resolve. 10x Genomics (the requesting party) is directed to file a position paper by 9/1/2023. Nanostring (the responding party) is directed to file a position paper by 9/8/2023. No further briefing will be allowed. The matter is set for a telephonic hearing on 9/13/2023 at 8:30 AM Central Time (9:30 AM Eastern Time). The following call-in number will be used: 888-684-8852; access code 746-1053. Signed by Judge Matthew F Kennelly on 8/25/2023. (twk) (Entered: 08/28/2023)
08/29/2023	<u>174</u>	NOTICE OF SERVICE of 1) Vizgen, Inc.'s and NanoString Technologies, Inc.'s Disclosure of Five Additional 10x Genomics, Inc.'s ESI Custodians; and 2) Vizgen, Inc.'s and NanoString Technologies, Inc.'s Disclosure of Five Additional President and Fellows of Harvard College's ESI Custodians. filed by Vizgen, Inc..(Zare, Maliheh) (Entered: 08/29/2023)
08/30/2023	<u>175</u>	NOTICE OF SERVICE of (1) President and Fellows of Harvard College's Objections and Responses to NanoString's Third Set of Interrogatories (Nos. 8–11) and; (2) President and Fellows of Harvard College's Objections and Responses to NanoString's Fifth Set of Requests for Production (Nos. 61–71) filed by President and Fellows of

		Harvard College.(Dorsney, Kenneth) (Entered: 08/30/2023)
08/30/2023	<u>176</u>	NOTICE OF SERVICE of (1) 10x Genomics, Inc.'s Objections and Responses to NanoString's Third Set of Interrogatories (Nos. 8–11) and (2) 10x Genomics, Inc.'s Objections and Responses to NanoString Technologies, Inc.'s Fifth Set of Requests for Production (Nos. 61–71) filed by 10X Genomics, Inc..(Jacobs, Karen) (Entered: 08/30/2023)
09/01/2023	<u>177</u>	Letter to The Honorable Matthew F. Kennelly from Karen Jacobs regarding Discovery Dispute. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Jacobs, Karen) (Entered: 09/01/2023)
09/06/2023	<u>178</u>	MOTION for Pro Hac Vice Appearance of Attorney Karnik F. Hajjar – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 09/06/2023)
09/06/2023	179	SO ORDERED, re <u>178</u> MOTION for Pro Hac Vice Appearance of Attorney Karnik F. Hajjar filed by NanoString Technologies, Inc. Ordered by Judge Matthew F Kennelly on 9/6/2023. (mpb) (Entered: 09/06/2023)
09/06/2023		Pro Hac Vice Attorney Karnik F. Hajjar for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:22-cv-00261-MFK, 1:21-cv-00653-MFK, 1:22-cv-01375-MFK(mpb) (Entered: 09/06/2023)
09/08/2023	<u>180</u>	Letter to The Honorable Matthew F. Kennelly from Brian E. Farnan regarding Response to 10x's Septemeber 1, 2023 Letter – re <u>177</u> Letter. (Farnan, Brian) (Entered: 09/08/2023)
09/13/2023		Minute Entry for proceedings held before Judge Matthew F Kennelly: Telephonic motion hearing held on 9/13/2023. Plaintiffs' motion to compel is denied for the reasons stated on the record. Ordered by Judge Matthew F Kennelly on 9/13/2023. (twk) (Entered: 09/13/2023)
09/15/2023	<u>181</u>	MOTION for Pro Hac Vice Appearance of Attorney Kristin Sanford and Anne Corbett – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 09/15/2023)
09/15/2023	182	SO ORDERED, re D.I. <u>181</u> MOTION for Pro Hac Vice Appearance of Attorney Kristin Sanford and Anne Corbett filed by NanoString Technologies, Inc. Ordered by Judge Matthew F Kennelly on 09/15/2023. (smg) (Entered: 09/15/2023)
09/15/2023	<u>183</u>	NOTICE OF SERVICE of 1) Defendants' Joint Responsive Claim Construction Brief with Exhibits V1–V3; and 2) Declaration of Dr. Michael Metzker in support of Vizgen's Claim Construction Response Brief. filed by Vizgen, Inc..(Kraman, Pilar) (Entered: 09/15/2023)
09/18/2023	<u>184</u>	NOTICE OF SERVICE of 1) Plaintiffs' Answering Claim Construction Brief and 2) Declaration of Rahul Satija, D. Phil in Support of Plaintiffs' Answering Claim Construction Brief -- filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 09/18/2023)
09/20/2023		Pro Hac Vice Attorney Kristin Sanford for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 09/20/2023)
09/20/2023		Pro Hac Vice Attorney Anne Corbett for NanoString Technologies, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 09/20/2023)
09/21/2023	<u>185</u>	NOTICE OF SERVICE of Braidwell LP's Responses and Objections to Subpoena to Testify at a Deposition in a Civil Action – filed by Braidwell LP (non-party). (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Certificate of Service)(twk) (Entered: 09/21/2023)
09/25/2023	<u>186</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Responses and Objections to Plaintiffs' First Set of Requests for Admission (Nos. 1–34); (ii) NanoString Technologies, Inc.'s Responses and Objections to Plaintiff's Second Set of Requests for Production (Nos. 93–186); and (iii) NanoString Technologies, Inc.'s

		Responses and Objections to Plaintiffs' Fourth Set of Interrogatories (Nos. 16–17) filed by NanoString Technologies, Inc..(Farnan, Michael) (Entered: 09/25/2023)
10/03/2023	<u>187</u>	ORAL ORDER, The Court has been advised that there is a dispute regarding a subpoena to Deerfield Management Co. that requires resolution. Deerfield is directed to file a motion to quash (or motion for protective order) by no later than 10/10/2023. Any objections to the motion are to be filed by no later than 10/17/2023. No reply may be filed unless requested by the Court. Telephonic hearing is set for 10/27/2023 at 8:30 AM. The following call-in number will be used: 888-684-8852; access code 746-1053. Ordered by Judge Matthew F Kennelly on 10/3/2023. (mpb) (Entered: 10/03/2023)
10/04/2023	<u>188</u>	NOTICE of Appearance by Steven J. Balick on behalf of Deerfield Management Company, LP (Balick, Steven) (Entered: 10/04/2023)
10/04/2023	<u>189</u>	NOTICE of Appearance by Andrew Colin Mayo on behalf of Deerfield Management Company, LP (Mayo, Andrew) (Entered: 10/04/2023)
10/05/2023	<u>190</u>	MOTION for Pro Hac Vice Appearance of Attorney Marguerite M. Sullivan, Molly M. Barron, and Jesse Aaron Vella – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 10/05/2023)
10/05/2023	<u>191</u>	SO ORDERED, regarding D.I. <u>190</u> MOTION for Pro Hac Vice Appearance of Attorney Marguerite M. Sullivan, Molly M. Barron, and Jesse Aaron Vella. Signed by Judge Matthew F Kennelly on 10/5/2023. (apk) (Entered: 10/05/2023)
10/06/2023	<u>192</u>	NOTICE OF SERVICE of 10x Genomics, Inc.'s Reply Claim Construction Brief -- filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 10/06/2023)
10/06/2023	<u>193</u>	NOTICE OF SERVICE of Defendants' Joint Reply Claim Construction Brief filed by Vizgen, Inc..(Kraman, Pilar) (Entered: 10/06/2023)
10/10/2023	<u>194</u>	Letter to The Honorable Matthew F. Kennelly from Steven J. Balick regarding Discovery Dispute (Non-Party Deerfield Management Company, L.P.'s Motion to Quash Subpoena). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Balick, Steven) (Entered: 10/10/2023)
10/11/2023	<u>195</u>	MOTION for Pro Hac Vice Appearance of Attorney Isaac S. Ashkenazi and Henry S. Finkelstein – filed by Deerfield Management Company, LP. (Balick, Steven) (Entered: 10/11/2023)
10/11/2023	<u>196</u>	SO ORDERED, regarding D.I. <u>195</u> MOTION for Pro Hac Vice Appearance of Attorney Isaac S. Ashkenazi and Henry S. Finkelstein. Signed by Judge Matthew F Kennelly on 10/11/2023. (apk) (Entered: 10/11/2023)
10/17/2023	<u>197</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Sixth Set of Requests for Production (Nos. 72–83) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 10/17/2023)
10/17/2023	<u>198</u>	Letter to The Honorable Matthew F. Kennelly from Cameron P. Clark regarding Response to Non-Party Deerfield Management Company, LP's Motion to Quash -- re <u>194</u> Letter,. (Attachments: # <u>1</u> Exhibit 4, # <u>2</u> Exhibit 5, # <u>3</u> Exhibit 6, # <u>4</u> Exhibit 7, # <u>5</u> Exhibit 8, # <u>6</u> Exhibit 9, # <u>7</u> Exhibit 10)(Clark, Cameron) (Entered: 10/17/2023)
10/20/2023	<u>199</u>	Letter to The Honorable Matthew F. Kennelly from Pilar G. Kraman regarding Defendants' Technology Tutorial. (Kraman, Pilar) (Entered: 10/20/2023)
10/20/2023	<u>200</u>	NOTICE of Lodging by 10X Genomics, Inc. of its <i>Technology Tutorial</i> -- (Clark, Cameron) (Entered: 10/20/2023)
10/20/2023	<u>201</u>	JOINT CLAIM CONSTRUCTION BRIEF filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 10/20/2023)
10/20/2023	<u>202</u>	Joint APPENDIX re (201 in 1:22-cv-00261-MFK) Joint Claim Construction Brief, (247 in 1:22-cv-00595-MFK) Joint Claim Construction Brief -- (<i>Volume I of II</i>) -- by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit X1, # <u>2</u> Exhibit X2, # <u>3</u> Exhibit X3, # <u>4</u> Exhibit X4, # <u>5</u> Exhibit X5, # <u>6</u> Exhibit X6, # <u>7</u> Exhibit X7, # <u>8</u> Exhibit X8, # <u>9</u> Exhibit X9, # <u>10</u> Exhibit X10, # <u>11</u> Exhibit X11, # <u>12</u> Exhibit X12, # <u>13</u> Exhibit X13, # <u>14</u> Exhibit X14)(Clark, Cameron) (Entered: 10/20/2023)

10/20/2023	<u>203</u>	Joint APPENDIX re (201 in 1:22-cv-00261-MFK) Joint Claim Construction Brief, (247 in 1:22-cv-00595-MFK) Joint Claim Construction Brief -- (<i>Volume II of II</i>) -- by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit X15, # <u>2</u> Exhibit X16, # <u>3</u> Exhibit X17, # <u>4</u> Exhibit X18, # <u>5</u> Exhibit X19, # <u>6</u> Exhibit X20, # <u>7</u> Exhibit X21, # <u>8</u> Exhibit X22, # <u>9</u> Exhibit X23, # <u>10</u> Exhibit X24, # <u>11</u> Exhibit X25, # <u>12</u> Exhibit X26, # <u>13</u> Exhibit X27, # <u>14</u> Exhibit X28, # <u>15</u> Exhibit X29, # <u>16</u> Exhibit X30, # <u>17</u> Exhibit N1, # <u>18</u> Exhibit N2, # <u>19</u> Exhibit V1, # <u>20</u> Exhibit V2, # <u>21</u> Exhibit V3, # <u>22</u> Exhibit V4, # <u>23</u> Exhibit V5)(Clark, Cameron) (Entered: 10/20/2023)
10/20/2023	<u>204</u>	Joint Letter to The Honorable Matthew F. Kennelly regarding Markman Hearing --. (Clark, Cameron) (Entered: 10/20/2023)
10/27/2023		Minute Entry and Order: Telephonic hearing held on 10/27/2023 regarding request by Deerfield Management Co. to quash subpoena served by plaintiff 10x Genomics. The motion to quash is granted without prejudice to renewal of the subpoena in part (regarding communications with NanoString) following NanoStrings production of records subject to the conditions that the Court stated on the record. Signed by Judge Matthew F. Kennelly (apk) (Entered: 10/27/2023)
11/01/2023	<u>205</u>	MOTION for Pro Hac Vice Appearance of Attorney Joanna R. Schacter – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 11/01/2023)
11/01/2023	206	SO ORDERED, re <u>205</u> MOTION for Pro Hac Vice Appearance of Attorney Joanna R. Schacter. Ordered by Judge Matthew F Kennelly on 11/1/2023. (twk) (Entered: 11/01/2023)
11/03/2023	<u>207</u>	STIPULATION TO EXTEND TIME for each receiving party to request additional search terms for the producing party's additional custodians; for all parties to substantially complete their document production with respect to the additional custodians; and for all parties to serve privilege logs to November 17, 2023; December 22, 2023; and 30 days after the deadline for substantial completion of document production – filed by Vizgen, Inc.. (Kraman, Pilar) (Entered: 11/03/2023)
11/03/2023	208	SO ORDERED, re (207 in 1:22-cv-00261-MFK, 80 in 1:22-cv-01375-MFK, 262 in 1:22-cv-00595-MFK) STIPULATION TO EXTEND TIME for each receiving party to request additional search terms for the producing party's additional custodians; for all parties to substantially complete their document production with respect to the additional custodians; filed by Vizgen, Inc. Ordered by Judge Matthew F Kennelly on 11/3/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK(smg) (Entered: 11/03/2023)
11/16/2023	<u>209</u>	NOTICE OF SERVICE of President and Fellows of Harvard College's Objections and Responses to NanoString Technologies, Inc.'s Sixth Set of Requests for Production (Nos. 72-83) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 11/16/2023)
11/17/2023	<u>210</u>	Letter to The Honorable Matthew F. Kennelly from Brian E. Farnan regarding Ankura Consulting Group. (Farnan, Brian) (Entered: 11/17/2023)
11/21/2023	<u>211</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Fourth Set of Interrogatories (Nos. 12-13) and (ii) NanoString Technologies, Inc.'s Seventh Set of Requests for Production (Nos. 84-92) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 11/21/2023)
11/21/2023	212	ORAL ORDER, the Court sets the case for a telephonic status hearing on 11/27/2023 at 8:30 AM Central Time (9:30 AM Eastern Time) to discuss the claim construction hearing scheduled for 12/15/2023 including the possible need to reschedule that hearing. The following call-in number will be used: 888-684-8852; access code 746-1053. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK(mpb) (Entered: 11/22/2023)
11/27/2023	213	ORAL ORDER: Telephonic status hearing held on 11/27/2023. The video claim construction hearing set for 12/15/2023 is vacated and reset to 1/10/2024 at 10:00 a.m. Central Time. The Court will send out the video conference invitation a few days in advance of the hearing. A joint status report with a proposal for configuration and time limits for the claim construction hearing is to be filed by 12/11/2023. Signed by Judge Matthew F Kennelly on 11/27/2023. (apk) (Entered: 11/27/2023)

11/28/2023	<u>214</u>	NOTICE of Subpoenas by 10X Genomics, Inc. -- <i>Plaintiff 10x Genomics, Inc.'s Notice of Third-Party Subpoenas</i> -- (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Clark, Cameron) (Entered: 11/28/2023)
11/30/2023	<u>215</u>	NOTICE OF SERVICE of 10x Genomics, Inc.'s Objections and Responses to Nanostring Technologies, Inc.'s Sixth Set of Requests for Production (Nos. 72-83) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 11/30/2023)
12/04/2023	216	ORAL ORDER, The Court has reviewed the joint status report filed in related case No. 22-595 in which the parties (some of which are also parties in this case) propose to switch the trial date in that case with the trial date in this case. Defendant Nanostring Technologies is directed to file any responsive comments by no later than 12/7/2023. Ordered by Judge Matthew F Kennelly on 12/4/2023. (twk) (Entered: 12/04/2023)
12/05/2023	<u>217</u>	NOTICE of Subpoena to Curio Bioscience, Inc. by 10X Genomics, Inc. (Attachments: # <u>1</u> Exhibit 1 - Subpoena to Curio Bioscience, Inc.)(Clark, Cameron) (Entered: 12/05/2023)
12/07/2023	<u>218</u>	STATUS REPORT <i>Regarding Proposal to Accelerate Trial</i> by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A)(Farnan, Brian) (Entered: 12/07/2023)
12/07/2023	219	ORAL ORDER, This case and Case No. 22-cv-595 are set for a video hearing on 12/13/2023 at 11:00 AM Central time (12:00 PM Eastern time) to address trial and pretrial scheduling issues as discussed in the recent filings in the present case. Ordered by Judge Matthew F Kennelly on 12/7/2023. (mpb) (Entered: 12/07/2023)
12/08/2023	<u>220</u>	MOTION for Pro Hac Vice Appearance of Attorney Jarren N. Ginsburg - filed by President and Fellows of Harvard College. (Dorsney, Kenneth) (Entered: 12/08/2023)
12/11/2023	221	ORAL ORDER: Video status hearing scheduled for December 13, 2023 at 11:00 a.m. Central (12:00 p.m. Eastern). Members of the public and media will be able to call in to listen to this hearing. The call-in number is (650) 479-3207 and the call-in ID is 23036823624###. Counsel of record will receive an email invitation prior to the start of the video hearing with instructions to join the video conference. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Ordered by Judge Matthew F Kennelly on 12/11/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK(smg) (Entered: 12/11/2023)
12/11/2023		CORRECTING ENTRY: D.I. 221 and 222 have been previously deleted per counsels request. The initial filings were submitted with the wrong version of the document. Counsel will re-file. (apk) (Entered: 12/11/2023)
12/11/2023	<u>222</u>	[SEALED] STATEMENT re <u>218</u> Status Report by President and Fellows of Harvard College. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Hitch, Cortlan) (Entered: 12/11/2023)
12/11/2023	<u>223</u>	REDACTED VERSION of <u>222</u> Statement by President and Fellows of Harvard College. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Hitch, Cortlan) (Entered: 12/11/2023)
12/11/2023	<u>224</u>	Letter to The Honorable Matthew F. Kennelly from Pilar G. Kraman regarding Joint Status Report - re (275 in 1:22-cv-00595-MFK, 275 in 1:22-cv-00595-MFK, 275 in 1:22-cv-00595-MFK, 275 in 1:22-cv-00595-MFK) Oral Order,,,,,, Terminate Deadlines and Hearings,,,,,, Set Scheduling Order Deadlines,,,,,, Set Deadlines,,,,,, (Kraman, Pilar) (Entered: 12/11/2023)
12/12/2023	225	SO ORDERED, regarding D.I. <u>220</u> MOTION for Pro Hac Vice Appearance of Attorney Jarren N. Ginsburg. Signed by Judge Matthew F Kennelly on 12/12/2023. (apk) (Entered: 12/12/2023)
12/12/2023	<u>226</u>	STATEMENT re <u>222</u> Statement <i>Nanostring Technologies, Inc.'s Reply to Harvard College's Opposition to Nanostring's Proposal to Accelerate Trial</i> by NanoString

		Technologies, Inc.. (Farnan, Brian) (Entered: 12/12/2023)
12/12/2023		Pro Hac Vice Attorney Jarren N. Ginsburg for President and Fellows of Harvard College added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:22-cv-00595-MFK, 1:22-cv-00261-MFK(mpb) (Entered: 12/12/2023)
12/13/2023	<u>227</u>	ORAL ORDER, Video case management hearing held in this case and 22-cv-595. The Court will advance the 9/30/2024 trial date in this case to 9/16/2024. Counsel are directed to adjust the remainder of the schedule accordingly and are to submit a proposed order in Word format to Judge Kennellys proposed order e-mail address by no later than 12/18/2023. Ordered by Judge Matthew F Kennelly on 12/13/2023. (mpb) (Entered: 12/13/2023)
12/13/2023	<u>228</u>	ORAL ORDER, The Court adopts the parties' proposal for the configuration of the joint claim construction hearing in Case Nos. 22-261; 22-595; and 22-1375 set for a video hearing on 1/10/2024 at 10:00 AM Central time (11:00 AM Eastern time). The Court allocates a total of three hours for the hearing but reserves the right to reduce this at or before the hearing. Ordered by Judge Matthew F Kennelly on 12/13/2023. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK(mpb) (Entered: 12/13/2023)
12/18/2023	<u>229</u>	STIPULATION TO EXTEND TIME for the parties to submit adjusted case schedules in the 595 and 261 Cases pursuant to the Court's December 13, 2023 Oral Order to December 19, 2023 – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 12/18/2023)
12/19/2023	<u>230</u>	STIPULATION Amending Scheduling Order re 227 Oral Order,, Terminate Hearings,, Set Deadlines,, Set Hearings, by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 12/19/2023)
12/20/2023	<u>231</u>	STIPULATION AND ORDER AMENDING SCHEDULING ORDER, Fact Discovery completed by 3/15/2024., Opening Expert Reports due by 3/29/2024, Rebuttal Expert Reports due by 5/3/2024, Reply Expert Reports due by 5/17/2024, Expert Discovery due by 5/31/2024, Dispositive Motions due by 6/21/2024, Answering Brief due 7/12/2024, Reply Brief due 7/19/2024, A Pretrial Conference is set for 9/6/2024 at 02:00 PM in Virtually before Judge Matthew F Kennelly. (See Order for further details) Signed by Judge Matthew F Kennelly on 12/120/2023. (mpb) (Entered: 12/20/2023)
12/21/2023	<u>232</u>	NOTICE OF SERVICE of (1) President and Fellows Harvard College's response to NanoString's Fourth Set of Interrogatories (Nos. 12–13); and (2) President and Fellows Harvard College's response to NanoString's Seventh Set of Requests for Production (Nos. 84–92) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 12/21/2023)
12/21/2023	<u>233</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Fifth Set of Interrogatories (Nos. 14–19) and (ii) NanoString Technologies, Inc.'s Eight Set of Requests for Production (Nos. 93–97) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 12/21/2023)
12/21/2023	<u>234</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Corrected Eighth Set of Requests for Production (Nos. 94–98) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 12/21/2023)
12/21/2023	<u>235</u>	NOTICE OF SERVICE of 1) 10x Genomics, Inc.'s Objections and Responses to NanoString Technologies, Inc.'s Fourth Set of Interrogatories (Nos. 12–13); and 2) 10x Genomics, Inc.'s Objections and Responses to NanoString Technologies, Inc.'s Seventh Set of Requests for Production (Nos. 84–92) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 12/21/2023)
12/28/2023	<u>236</u>	ORAL ORDER: The Court adopts the parties' 12/11/2023 proposal regarding the 1/10/2024 claim construction hearing for a total of 3 hours allocated half to 10x and Harvard and half to NanoString and Vizgen. The Court reserves the right to reduce the length of the hearing. The hearing will be held by video conference at 10:00 AM Central time on 1/10/2024. Judge Kennelly's courtroom deputy clerk will send a video

		invitation a few days in advance of the hearing. Signed by Judge Matthew F Kennelly on 12/28/2023. (apk) (Entered: 12/28/2023)
12/28/2023	<u>237</u>	NOTICE of Subpoena by 10X Genomics, Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Clark, Cameron) (Entered: 12/28/2023)
12/29/2023	<u>238</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Ninth Set of Requests for Production (Nos. 99–107) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 12/29/2023)
01/04/2024	<u>239</u>	NOTICE OF SERVICE of (1) President and Fellows of Harvard College's First Set of Requests for Admission to Vizgen (Nos. 1–12) and; (2) President and Fellows of Harvard College's First Set of Requests for Admission to NanoString (Nos. 1–12) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 01/04/2024)
01/05/2024	<u>240</u>	NOTICE to Take Deposition of 10X Genomics, Inc. and President and Fellows of Harvard College on a date and at a time mutually agreed upon filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/05/2024)
01/05/2024	<u>241</u>	ORAL ORDER, Video claim construction hearing scheduled for January 10, 2024, at 10:00 a.m. C.T. / 11:00 a.m. E.T. Members of the public and media will be able to call in to listen to this hearing. The call-in number is (650) 479–3207 and the call-in ID is 23059897962##. Counsel of record will receive an email invitation prior to the start of the video hearing with instructions to join the video conference. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Signed by Judge Matthew F Kennelly on 1/5/2024. Associated Cases: 1:22–cv–00595–MFK, 1:22–cv–00261–MFK, 1:22–cv–01375–MFK(mpb) (Entered: 01/05/2024)
01/10/2024	<u>242</u>	NOTICE of Change of Address by Cameron Paul Clark (Clark, Cameron) (Entered: 01/10/2024)
01/10/2024		ORAL ORDER: Video claim construction hearing held regarding disputed claim terms in Case No. 22–cv–261; Case No. 22–cv–595; and Case No. 22–cv–1375. By no later than 12:00 noon on 1/11/2024 the parties are directed to file a supplement to the Joint Claim Construction Brief that identifies the specific patents and claims involved in Disputed Term 1 (whether the steps of the method claims must be performed in the order written). Claim construction is taken under advisement. The Court will issue a ruling in due course (Joint Claim Construction Brief due by 1/11/2024). Signed by Judge Matthew F. Kennelly on 1/10/2024 (apk) (Entered: 01/10/2024)
01/10/2024	<u>243</u>	NOTICE of Additional Authority by Vizgen, Inc. (Attachments: # <u>1</u> Exhibit A)(Siew, Jennifer) (Entered: 01/10/2024)
01/11/2024	<u>244</u>	Letter to The Honorable Matthew F. Kennelly from Brian E. Farnan regarding Response to January 10, 2024 Oral Order – re Markman Hearing,,, Set Deadlines,, Markman Hearing,,, Set Deadlines,, Markman Hearing,,, Set Deadlines,,, (Farnan, Brian) (Entered: 01/11/2024)
01/12/2024	<u>245</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories (No. 5) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/12/2024)
01/22/2024	<u>246</u>	NOTICE to Take Deposition of Shawn Marcell on 1/25/2024 filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/22/2024)
01/22/2024	<u>247</u>	NOTICE to Take Deposition of Richard Terry on 1/31/2024 filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/22/2024)
01/22/2024	<u>248</u>	NOTICE to Take Deposition of Evan Daugharthy on 2/2/2024 filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/22/2024)
01/22/2024	<u>249</u>	NOTICE to Take Deposition of Isaac Kohlberg on 2/15/2024 filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/22/2024)

01/22/2024	<u>250</u>	NOTICE OF SERVICE of (1) President and Fellows of Harvard College's Objections and Responses to NanoString's Fifth Set of Interrogatories (Nos. 14–19) and; (2) President and Fellows of Harvard College's Responses and Objections to NanoString's Corrected Eighth Set of Requests for Production (Nos.94–98) filed by President and Fellows of Harvard College.(Hitch, Cortlan) (Entered: 01/22/2024)
01/22/2024	<u>251</u>	NOTICE OF SERVICE of 1) 10x Genomics, Inc.'s Objections and Responses to NanoString's Fifth Set of Interrogatories (Nos. 14–19); and 2) 10x Genomics, Inc.'s Objections and Responses to NanoString's Eighth Set of Requests for Production (Nos. 94–98) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 01/22/2024)
01/23/2024	<u>252</u>	MOTION for Pro Hac Vice Appearance of Attorney Kate E. Gehl, Attorney Ian T. Hampton and Attorney Alan D. Rutenberg – filed by President and Fellows of Harvard College. (Dorsney, Kenneth) (Entered: 01/23/2024)
01/23/2024	<u>253</u>	MOTION for Pro Hac Vice Appearance of Attorney Azra M. Hadzimehmedovic, Aaron M. Nathan, and William P. Nelson – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 01/23/2024)
01/23/2024	254	Pro Hac Vice Fee – Credit Card Payment received for Azra M. Hadzimehmedovic, Aaron M. Nathan, and William P. Nelson. (re <u>253</u> MOTION for Pro Hac Vice Appearance of Attorney Azra M. Hadzimehmedovic, Aaron M. Nathan, and William P. Nelson)(Payment of \$ 150, receipt number ADEDC–4320295).(Clark, Cameron) (Entered: 01/23/2024)
01/23/2024	<u>255</u>	MOTION for Pro Hac Vice Appearance of Attorney John W. Custer – filed by President and Fellows of Harvard College. (Dorsney, Kenneth) (Entered: 01/23/2024)
01/23/2024	256	SO ORDERED, regarding D.I. <u>255</u> MOTION for Pro Hac Vice Appearance of Attorney John W. Custer. Signed by Judge Matthew F Kennelly on 1/23/2024. (apk) (Entered: 01/23/2024)
01/24/2024	257	SO ORDERED, regarding D.I. <u>252</u> MOTION for Pro Hac Vice Appearance of Attorney Kate E. Gehl, Attorney Ian T. Hampton and Attorney Alan D. Rutenberg. Signed by Judge Matthew F Kennelly on 01/24/2024. (vfm) (Entered: 01/24/2024)
01/24/2024	<u>258</u>	MOTION for Pro Hac Vice Appearance of Attorney Spencer Talbot – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 01/24/2024)
01/24/2024	259	Pro Hac Vice Fee – Credit Card Payment received for Spencer Talbot. (re <u>258</u> MOTION for Pro Hac Vice Appearance of Attorney Spencer Talbot)(Payment of \$ 50, receipt number ADEDC–4321167).(Farnan, Brian) (Entered: 01/24/2024)
01/24/2024	260	SO ORDERED, re <u>253</u> MOTION for Pro Hac Vice Appearance of Attorney Azra M. Hadzimehmedovic, Aaron M. Nathan, and William P. Nelson filed by 10X Genomics, Inc. Signed by Judge Matthew F Kennelly on 01/24/2024. (smg) (Entered: 01/24/2024)
01/25/2024	<u>261</u>	MOTION for Pro Hac Vice Appearance of Attorney John E. Scribner – filed by NanoString Technologies, Inc.. (Farnan, Brian) (Entered: 01/25/2024)
01/25/2024	262	Pro Hac Vice Fee – Credit Card Payment received for John E. Scribner. (re <u>261</u> MOTION for Pro Hac Vice Appearance of Attorney John E. Scribner)(Payment of \$ 50, receipt number ADEDC–432211).(Farnan, Brian) (Entered: 01/25/2024)
01/25/2024	<u>263</u>	MOTION for Pro Hac Vice Appearance of Attorney Kelly Fayne, Christopher John Brown, Brian Barrows Goodell, and Sahdia Khan – filed by 10X Genomics, Inc.. (Clark, Cameron) (Entered: 01/25/2024)
01/25/2024	264	Pro Hac Vice Fee – Credit Card Payment received for Kelly Fayne, Christopher John Brown, Brian Barrows Goodell, and Sahdia Khan. (re <u>263</u> MOTION for Pro Hac Vice Appearance of Attorney Kelly Fayne, Christopher John Brown, Brian Barrows Goodell, and Sahdia Khan)(Payment of \$ 200, receipt number ADEDC–4322708).(Clark, Cameron) (Entered: 01/25/2024)
01/29/2024	<u>265</u>	NOTICE to Take Deposition of Richard Terry on To Be Agreed Upon filed by NanoString Technologies, Inc..(Farnan, Michael) (Entered: 01/29/2024)
01/29/2024		Pro Hac Vice Attorney Azra M. Hadzimehmedovic, Aaron Nathan, and William P Nelson for 10X Genomics, Inc., added for electronic noticing. Pursuant to Local Rule

		83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 01/29/2024)
01/29/2024	<u>266</u>	NOTICE OF SERVICE of President and Fellows of Harvard College's Responses and Objections to NanoString Technologies, Inc.'s Ninth Set of Requests for Production (Nos. 99–107) filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 01/29/2024)
01/29/2024	<u>267</u>	NOTICE OF SERVICE of Objections and Responses to Defendant NanoString Technologies, Inc.'s Ninth Set of Requests for Production (Nos. 99–107) filed by 10X Genomics, Inc..(Clark, Cameron) (Entered: 01/29/2024)
01/31/2024	<u>268</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Tenth Set of Requests for Production (No. 108) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 01/31/2024)
02/01/2024	<u>269</u>	MEMORANDUM OPINION AND ORDER. Signed by Judge Matthew F Kennelly on 2/1/2024. (apk) (Entered: 02/01/2024)
02/02/2024	<u>270</u>	NOTICE OF SERVICE of (i) NanoString Technologies, Inc.'s Responses and Objections to Plaintiff President And Fellows Of Harvard College's First Set of Requests for Admission (Nos. 1–12) and (ii) NanoString Technologies, Inc.'s First Set of Requests for Admission (Nos. 1–18) filed by NanoString Technologies, Inc..(Farnan, Brian) (Entered: 02/02/2024)
02/05/2024	<u>271</u>	NOTICE OF SERVICE of (1) President and Fellows of Harvard College's Responses and Objections to Vizgen, Inc.'s Rule 30(b)(6) Notice of Deposition and;(2) President and Fellows of Harvard College's Responses and Objections to NanoString Technologies, Inc.'s Rule 30(b)(6) Notice of Deposition filed by President and Fellows of Harvard College.(Hitch, Cortlan) (Entered: 02/05/2024)
02/06/2024	272	ORAL ORDER: This case and the related cases are set for a telephonic status hearing on 2/8/2024 at 8:30 AM Central Time (9:30 AM Eastern Time) to discuss the impact on these cases of NanoString Technologies Inc.'s filing of a petition for bankruptcy. The following call-in number will be used: 888-684-8852; access code 761-1053. Ordered by Judge Matthew F Kennelly on 2/6/2024. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK(mpb) (Entered: 02/06/2024)
02/08/2024	273	ORAL ORDER: Telephonic status hearing held on 2/8/2024. Counsel for NanoString advised that NanoString intends to seek leave from the bankruptcy court to litigate these cases. NanoString is directed to file a status report regarding bankruptcy-related developments on 2/22/2024. The parties are directed to continue their discussions regarding any adjustments to the cases and trial schedules necessitated by the NanoString bankruptcy filing. They are to file a joint status report in this regard covering all three cases on 3/4/2024. The cases are set for a further telephonic status hearing on 3/6/2024 at 8:30 a.m. The following call-in number will be used for the hearing: 888-684-8852; access code 746-1053. Signed by Judge Matthew F Kennelly on 02/08/2024. Associated Cases: 1:22-cv-00261-MFK, 1:22-cv-00595-MFK, 1:22-cv-01375-MFK (vfm) (Entered: 02/08/2024)
02/09/2024	<u>274</u>	NOTICE OF SERVICE of (1) President and Fellows of Harvard College's Supplemental Responses and Objections to Vizgen's Interrogatory No. 16 and; (2) President and Fellows of Harvard College's Supplemental Responses and Objections to NanoString's Interrogatory No. 9 filed by President and Fellows of Harvard College.(Dorsney, Kenneth) (Entered: 02/09/2024)
02/22/2024	<u>275</u>	STATUS REPORT <i>Regarding Bankruptcy Developments</i> by NanoString Technologies, Inc.. (Attachments: # <u>1</u> Exhibit A)(Farnan, Brian) (Entered: 02/22/2024)
02/22/2024	276	ORAL ORDER: The Court has reviewed NanoStrings status report regarding the pending bankruptcy proceedings. The 3/4/2024 deadline for filing a further status report is extended to 3/12/2024. The telephonic status hearing set for 3/7/2024 is vacated and reset to 3/14/2024 at 8:30 AM Central time. The following call-in number will be used: 888-684-8852; access code 746-1053. (vfm) (Entered: 02/22/2024)
02/29/2024	<u>277</u>	NOTICE OF SERVICE of NanoString Technologies, Inc.'s Supplemental Responses and Objections to Plaintiffs' Second Set of Interrogatories (No. 11) filed by

		NanoString Technologies, Inc..(Farnan, Brian) (Entered: 02/29/2024)
03/12/2024	<u>278</u>	Joint STATUS REPORT by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Clark, Cameron) (Entered: 03/12/2024)
03/14/2024	279	ORAL ORDER: Telephonic status hearing held. All proceedings in this case are stayed without objection by any party due to NanoString's filing of a petition for bankruptcy. The final pretrial conference and trial dates are vacated. Signed by Judge Matthew F Kennelly on 3/14/2024. (apk) (Entered: 03/14/2024)
05/06/2024	<u>280</u>	NOTICE OF SUBSTITUTION OF COUNSEL re 10X Genomics, Inc.: Entry of appearance of attorney Jason James Rawnsley. Attorney Karen Jacobs and Cameron P. Clark terminated. (Rawnsley, Jason) (Entered: 05/06/2024)
05/13/2024	<u>281</u>	NOTICE requesting Clerk to remove Jesse A. Vella as co-counsel.. (Rawnsley, Jason) (Entered: 05/13/2024)
05/31/2024	<u>282</u>	STIPULATION and [Proposed] Order Regarding Substitution of Bruker Spatial Biology, Inc. and Bruker Nano, Inc. in Place of Nanostring Technologies, Inc. by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Ewing, Alexandra) (Entered: 05/31/2024)
06/07/2024	<u>283</u>	Joint STATUS REPORT by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit A)(Rawnsley, Jason) (Entered: 06/07/2024)
06/07/2024	<u>284</u>	[SEALED] DECLARATION re (342 in 1:21-cv-00653-MFK, 283 in 1:22-cv-00261-MFK, 111 in 1:22-cv-01375-MFK) Status Report by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Rawnsley, Jason) (Entered: 06/07/2024)
06/10/2024	285	ORAL ORDER: This case is set for a telephonic status hearing to discuss the parties' joint status report on 6/14/2024 at 8:45 AM Central Time (9:45 AM Eastern Time). The following call-in number will be used: 650-479-3207; access code 980-394-33.Ordered by Judge Matthew F Kennelly on 6/10/2024. Associated Cases: 1:21-cv-00653-MFK, 1:22-cv-00261-MFK, 1:22-cv-01375-MFK(mpb) (Entered: 06/10/2024)
06/14/2024	<u>286</u>	STIPULATION AND ORDER: The Stay on this action is LIFTED. Bruker Spatial Biology, Inc. and Bruker Nano, Inc. are substituted for NanoString as defendants pursuant to Fed. R. Civ. P. 25(c) and the Clerk is directed to change the case caption. Signed by Judge Matthew F Kennelly on 6/14/2024. (mpb) (Entered: 06/14/2024)
06/14/2024		Oral Order: Telephonic case management conference held on 6/14/2024. (1) The parties are to continue to confer regarding the proposed addition of Bruker Corp. as a defendant. Any motions to join or add parties are to be filed by no later than 6/21/2024. (2) The Court commented on the schedule for proceedings proposed by the parties and made certain suggestions. The parties are directed to meet and confer and attempt to propose an agreed upon schedule for consideration by the Court. (3) The Court also commented on the apparent dispute regarding deposition time. The Court directed 10x and Harvard to produce the existing deposition transcripts to Bruker pursuant to an understanding (to be reached) regarding cost-sharing and then to meet and confer further to attempt to resolve the dispute. (4) A further joint status report addressing points (2) and (3) is to be filed by 6/21/2024. The Court will set a further hearing at that time if it appears to be necessary. Ordered by Judge Matthew F. Kennelly on 6/14/2024.(mpb) (Entered: 06/14/2024)
06/14/2024	<u>287</u>	REDACTED VERSION of (284 in 1:22-cv-00261-MFK, 112 in 1:22-cv-01375-MFK, 343 in 1:21-cv-00653-MFK) Declaration, <i>Stefani Smith</i> by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Rawnsley, Jason) (Entered: 06/14/2024)
06/18/2024	<u>288</u>	NOTICE of Subpoenas by 10X Genomics, Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Rawnsley, Jason) (Entered: 06/18/2024)
06/19/2024	<u>289</u>	MOTION for Pro Hac Vice Appearance of Attorney Courtland L. Reichman, Sarah Jorgensen, Christine E. Lehman, and Savannah H. Carnes – filed by Bruker Nano,

		Inc., Bruker Spatial Biology, Inc.. (Farnan, Brian) (Entered: 06/19/2024)
06/19/2024	290	Pro Hac Vice Fee – Credit Card Payment received for Courtland L. Reichman, Sarah Jorgensen, Christine E. Lehman, and Savannah H. Carnes. (re <u>289</u> MOTION for Pro Hac Vice Appearance of Attorney Courtland L. Reichman, Sarah Jorgensen, Christine E. Lehman, and Savannah H. Carnes)(Payment of \$ 200, receipt number ADEDC-4433487).(Farnan, Brian) (Entered: 06/19/2024)
06/19/2024	291	SO ORDERED, re <u>289</u> MOTION for Pro Hac Vice Appearance of Attorney Courtland L. Reichman, Sarah Jorgensen, Christine E. Lehman, and Savannah H. Carnes filed by Bruker Spatial Biology, Inc., Bruker Nano, Inc. Ordered by Judge Matthew F Kennelly on 6/19/2024. (jfm) (Entered: 06/20/2024)
06/21/2024		Pro Hac Vice Attorney Savannah H. Carnes,Sarah O. Jorgensen,Christine E. Lehman,Courtland L. Reichman for Bruker Nano, Inc. and Bruker Spatial Biology, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 06/21/2024)
06/21/2024	<u>292</u>	MOTION to Substitute Party: Bruker Corporation or Join as Co-Defendant – filed by 10X Genomics, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Rawnsley, Jason) (Entered: 06/21/2024)
06/21/2024	<u>293</u>	OPENING BRIEF in Support re <u>292</u> MOTION to Substitute Party: Bruker Corporation or Join as Co-Defendant filed by 10X Genomics, Inc..Answering Brief/Response due date per Local Rules is 7/5/2024. (Rawnsley, Jason) (Entered: 06/21/2024)
06/21/2024	<u>294</u>	[SEALED] DECLARATION re <u>292</u> MOTION to Substitute Party: Bruker Corporation or Join as Co-Defendant of <i>Li Shen</i> by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13)(Rawnsley, Jason) (Entered: 06/21/2024)
06/21/2024	<u>295</u>	Joint STATUS REPORT – <i>June 21, 2024</i> by 10X Genomics, Inc.. (Ewing, Alexandra) (Entered: 06/21/2024)
06/24/2024	<u>296</u>	AFFIDAVIT of Service for Plaintiff's Motion to Substitute or Join Bruker Corporation as Co-Defendant; 10X, Prognosys, and Harvard's Opening Brief in Support of Motion to Substitute or Join Brucker Corporation as Co-Defendant; Declaration of Li Shen in Support of Plaintiffs' Motion to Substitute or Join Brucker Corporation as Co-Defendant served on Bruker Corporation on 6/24/2024, filed by 10X Genomics, Inc.. (Ewing, Alexandra) (Entered: 06/24/2024)
06/25/2024	<u>297</u>	NOTICE of Subpoenas by 10x Genomics, Inc. by 10X Genomics, Inc. (Attachments: # <u>1</u> Exhibit 1)(Rawnsley, Jason) (Entered: 06/25/2024)
06/28/2024	<u>298</u>	Joint STATUS REPORT of <i>June 28, 2024</i> by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Rawnsley, Jason) (Entered: 06/28/2024)
07/01/2024	<u>299</u>	REDACTED VERSION of <u>294</u> Declaration, of <i>Li Shen</i> by 10X Genomics, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13)(Ewing, Alexandra) (Entered: 07/01/2024)
07/02/2024	<u>300</u>	MOTION for Pro Hac Vice Appearance of Attorney Adam Adler – filed by Bruker Nano, Inc., Bruker Spatial Biology, Inc.. (Farnan, Brian) (Entered: 07/02/2024)
07/02/2024	301	Pro Hac Vice Fee – Credit Card Payment received for Adam Adler. (re <u>300</u> MOTION for Pro Hac Vice Appearance of Attorney Adam Adler)(Payment of \$ 50, receipt number ADEDC-4442744).(Farnan, Brian) (Entered: 07/02/2024)
07/02/2024		SO ORDERED, re <u>300</u> MOTION for Pro Hac Vice Appearance of Attorney Adam Adler filed by Bruker Spatial Biology, Inc., Bruker Nano, Inc.Ordered by Judge Matthew F Kennelly on 7/2/2024. (mpb) (Entered: 07/02/2024)
07/02/2024	302	ORAL ORDER: This case is set for a telephonic status hearing on 7/8/2024 at 8:20 AM Central Time to address scheduling and the other matters discussed in the 6/21/2024 and 6/28/2024 status reports filed in Case Nos. 22-cv-261 and 22-cv-1375

		and (possibly) the motions to substitute filed in those cases. The following call-in number will be used: 650-479-3207; access code 980-394-33. Ordered by Judge Matthew F Kennelly on 07/02/2024. (vfm) (Entered: 07/02/2024)
07/05/2024	<u>303</u>	ANSWERING BRIEF in Opposition re <u>292</u> MOTION to Substitute Party: Bruker Corporation or Join as Co-Defendant filed by Bruker Nano, Inc., Bruker Spatial Biology, Inc..Reply Brief due date per Local Rules is 7/12/2024. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Farnan, Brian) (Entered: 07/05/2024)
07/08/2024		Minute Entry for a Case Management Conference held before Judge Matthew F Kennelly – Case Management Conference held on 7/8/2024. Telephonic case management conference held involving attorneys in Case Nos. 22-cv-261; 22-cv-595; and 22-cv-1375. The Court made various proposals for coordinated and separated case management of the three cases. The Court anticipates setting Case No. 22-cv-595 for trial on or about 5/19/2025. Consistent with the Court's comments during the conference the parties are to confer further and are to submit a single joint status report covering all three cases covering the disputed topics as well as proposed revisions to the case management orders (and schedule revisions if appropriate) by no later than 7/15/2024. The Court will set a further case management conference if necessary following review of the status report. (apk) (Entered: 07/08/2024)