

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

NATERA, INC.

Plaintiff,

v.

INIVATA, INC. and INIVATA LTD.

Defendants.

C.A. No. 21-56-GBW
(CONSOLIDATED)

STIPULATION TO STAY CONSOLIDATED ACTION

WHEREAS, on January 20, 2021, Plaintiff Natera, Inc. filed this patent infringement action against Defendants Inivata, Inc. and Inivata Ltd. (collectively “Inivata”);

WHEREAS, on December 20, 2022, Natera filed a further patent infringement action in this District against Inivata designated C.A. No. 22-1609-GBW;

WHEREAS, on January 26, 2023, C.A. No. 22-1609-GBW was consolidated into this action for all purposes up to and including trial (D.I. 30), and a 5-day jury trial in the consolidated action is scheduled to begin October 6, 2025;

WHEREAS, on July 28, 2023, Natera filed a patent infringement action designated as C.A. No. 23-629-CCE-JLW against NeoGenomics Laboratories, Inc. (“NeoGenomics”), a corporate affiliate of Inivata, in the Middle District of North Carolina, (“the M.D.N.C. Action”) where it alleges venue is proper as to NeoGenomics, alleging, *inter alia*, infringement of one of the same patents involved in this action, U.S. Patent No. 11,530,454, by some of the same products (“RaDaR”) at issue in this action;

WHEREAS, trial is set in the M.D.N.C. Action for March 10, 2025 (subject to adjustment based on the Court's criminal trial schedule and as needed for resolution of dispositive motions); and

WHEREAS, because the resolution of the M.D.N.C. Action against the NeoGenomics is likely to simplify issues and to preserve judicial economy, the parties seek to stay this action;

IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval that the schedule in this consolidated action is hereby VACATED and the consolidated action is STAYED until 14 calendar days after the earliest of the following: dismissal of the M.D.N.C. Action, final judgment in the M.D.N.C. Action, a jury verdict in the M.D.N.C. Action, or May 10, 2025. Within 7 days of the expiration of the stay of this consolidated action, the parties shall meet and confer and submit to the Court a Joint Status Report with their proposal for how this action should proceed.

Dated: March 6, 2024

Respectfully submitted,

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

FARNAN LLP

/s/ Derek J. Fahnestock

/s/ Michael J. Farnan

Jack B. Blumenfeld (#1014)
Derek J. Fahnestock (#4705)
Anthony D. Raucci (#5948)
1201 North Market Street
P.O. Box 1347
Wilmington, De 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
dfahnestock@morrisnichols.com
araucci@morrisnichols.com

Brian E. Farnan (#4089)
Michael J. Farnan (#5165)
919 N. Market Street
Wilmington, DE 19801
Tel: (302) 777-0300
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

Attorneys for Inivata, Inc. and Inivata Ltd.

Attorneys for Plaintiff Natera, Inc.

IT IS SO ORDERED this _____ day of _____, 2024.

UNITED STATES DISTRICT JUDGE