

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2009-1253, -1250

APPLERA CORPORATION – APPLIED BIOSYSTEMS GROUP,

Plaintiff-Appellant,

v.

ILLUMINA, INC. and STEPHEN C. MACEVICZ,

Defendants-Appellees,

and

SOLEXA, INC.,

Defendant-Cross Appellant.

Appeals from the United States District Court for the Northern District of California  
in case no. 07-CV-02845, Judge William H. Alsup.

ON MOTION

Before NEWMAN, Circuit Judge.

### ORDER

Applera Corporation – Applied Biosystems Group moves for a 30-day extension of time, until June 12, 2009, to file its opening brief. Illumina, Inc., Stephen C. Macevicz, and Solexa, Inc. oppose. Applera replies.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted. No further extensions.

FOR THE COURT

**MAY 19 2009**

\_\_\_\_\_  
Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

cc: Edward R. Reines, Esq.  
Kevin M. Flowers, Esq.

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**MAY 19 2009**

**JAN HORBALY  
CLERK**