

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Genentech, Inc. v. Biogen MA, Inc.

Genentech v. Biogen · No. 23-cv-909-YGR · Decided June 11, 2025

SUMMARY

This is Pretrial Order No. 3 in Genentech, Inc. v. Biogen MA, Inc., issued by the United States District Court for the Northern District of California. The order confirms the trial schedule and establishes procedures concerning witnesses, exhibits, jury selection, expert disclosures, depositions, objections, settlement, courtroom technology, and trial conduct.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Yvonne Gonzalez Rogers
DECIDED	June 11, 2025
DOCKET	23-cv-909-YGR
DISPOSITION	other
PROCEDURAL POSTURE	Pretrial order governing the conduct and preparation of an upcoming jury trial in a pending civil action.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- motion in limine
- sanctions
- offer of judgment
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation
- intellectual property

QUESTIONS PRESENTED

- What procedures and scheduling requirements should govern the parties' upcoming jury trial?
- Whether Biogen's unopposed motion for Kristina Dickerson to testify remotely and the related motion to seal should be granted.

KEY QUOTATIONS

“A motion in limine refers “to any motion, whether made before or during trial, to exclude anticipated prejudicial evidence before the evidence is actually offered.”” (at 1)

“the parties “may review a juror's or potential juror's Internet presence, which may include postings by the juror or potential juror in advance of and during the trial, but . . . may not communicate directly or through another with a juror or potential juror.”” (at 2)

“Failure to comply with the obligations set forth in this order will result in sanctions appropriate to the gravity of the failure, including, but not limited to monetary fines and/or terminating sanctions.” (at 3)

FACTUAL BACKGROUND

Genentech, Inc. and Biogen MA, Inc. were parties to a pending civil action set for jury trial in the Northern District of California. After reviewing the parties' pretrial filings and conducting a pretrial conference, the court addressed the trial schedule and numerous logistical and evidentiary matters. The order also granted Biogen's unopposed request for Kristina Dickerson to testify remotely from Boston because of health concerns related to travel.

PROCEDURAL HISTORY

The court held a pretrial conference on June 9, 2025, considered the parties' filings and submissions, and issued Pretrial Order No. 3. The order confirmed the trial schedule and established procedures concerning motions in limine, witnesses, exhibits, jury selection, expert disclosures, depositions, objections, settlement, and compliance.

DISPOSITION

other

CASES CITED

- Luce v. United States, 469 U.S. 38, 40 n. 2 (1984)
- Batson v. Kentucky, 476 U.S. 79 (1986)