



June 7, 2021

VIA E-FILING

The Honorable Leonard P. Stark
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801-3556

RE: *Natera, Inc. v. ArcherDX, Inc.*
C.A. No. 20-cv-125-LPS

Dear Chief Judge Stark:

We write to request a status conference and/or the submission of 3-page letters regarding the schedule in both the above-captioned matter (“the ArcherDx/Invitae matter”) and the later-filed but related matter *Natera, Inc. v. Genosity, Inc.*, Case No. 20-cv-1352-LPS (“the Genosity matter”). The parties have met and conferred and have been unable to come to agreement on how these two cases should proceed.

Briefly, coordination between the two cases is sensible given (1) there is an overlapping patent which means there is overlapping claim construction, discovery (including depositions), and motion practice, (2) the accused products are related, (3) the parties are related now that Invitae acquired Genosity, and (4) as-of recently the same lawyers represent the parties in both cases. The Genosity matter, however, is still at the pleading stage and no discovery has taken place such that it is not possible for the Genosity matter to be coordinated with the ArcherDx/Invitae under the current schedule. Relatedly, the ArcherDx/Invitae schedule is no longer feasible given the current close of discovery is July 9 and there are at least 20 anticipated depositions that have not started along with numerous outstanding discovery issues. It was not even until the day before the Memorial Day holiday that any of the parties first served deposition notices.

Given the parties have been unable to agree on an appropriate approach for coordination of both cases, we respectfully request leave to submit the competing views to Your Honor during a status conference or 3-page letter briefs.

Respectfully submitted,

/s/ Brian E. Farnan

Brian E. Farnan

cc: Counsel of Record (via E-File)