

IN THE SUPREME COURT OF CALIFORNIA

ADVANCED BIONICS CORPORATION)
et al.,)

Plaintiffs and Respondents,)

v.)

MEDTRONIC, INC.,)

Defendant and Appellant.)

S097308

Ct.App. 2/1 B144465

Los Angeles County
Super. Ct. No. BC231335

MEDTRONIC, INC.,)

Petitioner,)

v.)

THE SUPERIOR COURT OF LOS)
ANGELES COUNTY,)

Respondent;)

Ct.App. 2/1 B144920

Los Angeles County
Super. Ct. No. BC231335

ADVANCED BIONICS CORPORATION)
et al.,)

Real Parties in Interest.)

THE COURT:

The opinion herein, filed on December 19, 2002, appearing at 29 Cal.4th 697,
is modified as follows:

The first two sentences on page 700 are modified to read as follows: “We granted review to consider whether the superior court properly enjoined a party to a California lawsuit from taking any action in a Minnesota proceeding involving the same dispute. We conclude that under principles of judicial restraint and comity the temporary restraining order (TRO) issued here was improper.”

This modification does not affect the judgment.