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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TROY M. LINDELL AND MARK POPE,  
ON BEHALF OF THEMSELVES AND  
ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

vs.

SYNTHES USA, SYNTHES USA SALES  
LLC, SYNTHES SPINE COMPANY, LP,

Defendants.

Case No. 1:11-CV-02053-LJO-BAM

**ORDER DISMISSING MARK  
POPE, WITH PREJUDICE, AS A  
PLAINTIFF AND AS A MEMBER  
OF THE PUTATIVE CLASS**

1 The Court having considered the parties' Stipulation to Dismiss Mark Pope, with  
2 Prejudice, as a Plaintiff and as a Member of the Putative Class,

3 IT IS HEREBY ORDERED, as follows:

- 4 1. Mark Pope shall be dismissed, with prejudice, as a plaintiff and as a member of the  
5 putative plaintiff class from this Action, and therefore, Mark Pope will not share in  
6 any recovery in this Action, if any;
- 7 2. Synthes' counterclaims against Mark Pope will be dismissed with prejudice, although  
8 Synthes' claim for Declaratory Relief against Plaintiff Lindell for unreimbursed  
9 business expenses will not be affected; and
- 10 3. Synthes will not seek any fees and/or costs against Mark Pope in connection with  
11 Mark Pope's bankruptcy proceedings or in this Action.

12 The clerk is directed not to close this action.

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16 IT IS SO ORDERED.

17 Dated: June 18, 2012

18 /s/ Lawrence J. O'Neill  
19 UNITED STATES DISTRICT JUDGE  
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