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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GARY HAWKINS,  
  
Plaintiffs,  
  
v.  
  
MEDTRONIC, INC; MEDTRONIC  
SOFAMOR DANEK USA, INC.,  
  
Defendants.

Case No. 1:13-cv-00499-AWI-SKO  
**STIPULATION AND ORDER THEREON**

**STIPULATION**

Plaintiff Gary Hawkins (“Plaintiff”) and Defendants Medtronic’s Inc., and Medtronic Sofamor Danek USA, Inc. (collectively “Defendants”), by and through their respective attorneys of record, stipulate and agree as follows:

**WHEREAS**, Plaintiff filed his Complaint against Defendants on April 3, 2013,

**WHEREAS**, on January 30, 2014, the Court ruled on Defendants’ Motion to Dismiss the Complaint.

**WHEREAS**, the Court gave Plaintiff thirty (30) days, until March 1, 2014, to file an amended Complaint,

**WHEREAS**, Plaintiff requires additional time to amend his fraud-related allegations to add the level of particularity required by the Court,

**WHEREAS**, the parties have agreed to extend Plaintiff’s deadline to amend his Complaint by 30 days,

**WHEREAS**, there have been no prior continuances of Plaintiff’s time to amend the Complaint,

**IT IS HEREBY STIPULATED** that:

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1. Plaintiff will file his First Amended Complaint on or before March 31, 2014.

Dated: February 25, 2014

WALKUP MELODIA KELLY & SCHOENBERGER

*/s/ Sara M. Peters*

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SARA M. PETERS  
Attorneys for Plaintiffs

Dated: February 25, 2014

REED SMITH, LLP

*/s/ Courtland C. Chinllingworth*

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COURTLAND C. CHILLINGWORTH  
Attorneys for Defendants Medtronic, Inc. and  
Medtronic Sofamor Danek USA, Inc.

**ORDER**

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that Plaintiff shall file his First Amended Complaint on or before March 31, 2014.

IT IS SO ORDERED.

Dated: **February 27, 2014**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE