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21 **Attorneys for Defendants, MEDTRONIC, INC.**
22 **and MEDTRONIC PUERTO RICO OPERATIONS CO.**

23 **UNITED STATES DISTRICT COURT**
24 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

25 MICHAEL MARTIN,

26 Plaintiff,

27 v.

28 MEDTRONIC, Inc.; MEDTRONIC
NEUROMODULATION, a Division of
MEDTRONIC, Inc.; MEDTRONIC
PUERTO RICO OPERATIONS,

Defendant.

No. 1:15-cv-00994—DAD—MJS

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND TO
SECOND AMENDED COMPLAINT (LOCAL
RULE 144)**

Complaint Filed: June 30, 2015

Trial Date: Not Scheduled

RECITALS

1. Plaintiff Michael Martin is represented by attorney Philip C. Bourdette, of Bourdette & Partners.

- 1 2. Defendants Medtronic, Inc. and Medtronic Puerto Rico Operations Co. are represented by
2 attorneys Robert E. Davies and Stephen J. Mackey, of Donahue Davies LLP.
- 3 3. On February 24, 2017, United States District Judge Dale A. Drozd issued an Order
4 granting Defendants Medtronic, Inc. and Medtronic Puerto Rico Operations Co.’s Motion
5 to Dismiss Plaintiff’s First Amended Complaint and granting twenty-one (21) days leave
6 for Plaintiff to file a Second Amended Complaint.
- 7 4. On or about March 17, 2017, Plaintiff electronically filed his Second Amended Complaint
8 in the above-entitled matter, and caused service of process to be affected upon
9 Defendants, Medtronic, Inc. (Named herein as “MEDTRONIC, Inc.” and “MEDTRONIC
10 NEUROMODULATION, a Division of MEDTRONIC, Inc.”) and Medtronic Puerto Rico
11 Operations Co. (Named herein as “MEDTRONIC PUERTO RICO OPERATIONS”).
- 12 5. Pursuant to Federal Rules of Civil Procedure, Rule 15, Defendants Medtronic, Inc. and
13 Medtronic Puerto Rico Operations Co.’s responsive pleading to the Second Amended
14 Complaint is currently due to be filed and served on or before March 31, 2017.
- 15 6. Plaintiff’s counsel have agreed to extend Defendants’ time to respond to the Second
16 Amended Complaint to and including April 14, 2017, an additional fourteen (14) days
17 from the original March 31, 2017 response date, as provided for in Local Rule 144.

18 **STIPULATION**

19 The parties do now hereby agree and stipulate as follows:

- 20 1. The time for Defendants Medtronic, Inc. and Medtronic Puerto Rico Operations Co. to file
21 and serve their responsive pleading to the Second Amended Complaint is extended to and
22 including April 14, 2017, an additional fourteen (14) days from the original March 31,
23 2017 response date.

24 **IT IS SO STIPULATED.**

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BOURDETTE & PARTNERS

Dated: March 23, 2017

By: /S/ Philip C. Bourdette
Philip C. Bourdette
Attorneys for Plaintiff,
MICHAEL MARTIN

Dated: March 23, 2017

DONAHUE DAVIES LLP

By: /S/ Robert E. Davies
Robert E. Davies

Of Counsel:

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Attorneys for Defendants,
MEDTRONIC, INC. and MEDTRONIC
PUERTO RICO OPERATIONS CO.

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ORDER ON STIPULATION

Good cause appearing, the above stipulation for extension of time to respond to second amended complaint in Case No. 1:15-cv-00994—DAD—MJS, is hereby accepted and its terms adopted as the Order of this Court.

IT IS SO ORDERED.

Dated: March 24, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE