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

ST. JUDE MEDICAL, INC., et al.,

Plaintiffs,

2:10-mc-0089 GEB DAD

v.

ACCESS CLOSURE, INC.,

Defendant.

ORDER AFTER HEARING OF
PLAINTIFFS' MOTION TO COMPEL

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This matter came before the court on November 19, 2010, for hearing, on shortened notice, of plaintiffs' motion to compel third-party Boston Scientific Corporation to comply with plaintiffs' deposition and document subpoena. Attorneys Benjamin T. Wang and Jay Chung appeared telephonically for plaintiffs. Matthew M. Wolf, Esq. appeared telephonically for third-party Boston Scientific Corporation. David Eiseman, IV, Esq. appeared telephonically on behalf of defendant Access Closure, Inc.

Plaintiffs' motion was fully briefed in compliance with the court's order shortening time, and argument was heard. Upon careful consideration of all papers filed in connection with the motion and all arguments heard, and in light of the October 28, 2010 order of the U.S. District Court for the Western District of Arkansas in the underlying litigation and the quickly approaching December 13, 2010 trial date in that action, the court granted plaintiffs'

1 motion to compel (Doc. No. 13) except as to Topic 4, which plaintiffs agreed to withdraw.
2 Third-party Boston Scientific Corporation shall make a good faith effort to locate all documents
3 containing information relevant to Topics 1 through 3 of the subpoena, and all such documents
4 shall be produced and delivered to plaintiffs' counsel on or before November 29, 2010. On or
5 before December 1, 2010, third-party Boston Scientific Corporation shall make an appropriate
6 person available for deposition for no more than four hours, at a specific date, time, and location
7 to be agreed upon by the parties. If the parties are unable to reach an agreement with respect to
8 these details of the deposition despite their best efforts to do so, court intervention may be sought
9 by contacting Pete Buzo, courtroom deputy for the undersigned, at (916) 930-4128.

10 IT IS SO ORDERED.

11 DATED: November 19, 2010.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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