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21  
22 **UNITED STATES DISTRICT COURT**  
23 **EASTERN DISTRICT OF CALIFORNIA**

24 SYNTHES, INC. AND DEPUY SYNTHES  
25 SALES, INC.,

26 Plaintiffs / Counterclaim-Defendants,

27 vs.

28 GREGORY KNAPP,

Defendant / Counterclaim-Plaintiff.

Case No. 2:13-cv-02261-MCE

**PROPOSED STIPULATED  
ORDER AMENDING PRETRIAL  
SCHEDULING ORDER**

**PROPOSED STIPULATED ORDER AMENDING PRETRIAL SCHEDULING ORDER**

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2 WHEREAS, on September 2, 2016, the Court entered an Amended Pretrial  
3 Scheduling Order, extending the deadline by which the parties must designate  
4 supplemental experts until September 30, 2016 (ECF No. 75);

5 WHEREAS, on November 2, 2016, the Court upon its own motion vacated the  
6 April 20, 2017 final pretrial conference and June 12, 2017 jury trial and further  
7 ordered the parties must file a Joint Notice of Trial Readiness within thirty (30) days  
8 of receiving the Court's ruling on the pending dispositive motion (ECF No. 81);

9 WHEREAS, the parties have exchanged expert reports but have not yet  
10 conducted expert depositions;

11 WHEREAS, the parties have agreed that all positions and defenses related to  
12 the measuring period for any damages are fully preserved until decided by the Court;

13 NOW, THEREFORE, to avoid unnecessary expense to the parties if the  
14 pending dispositive motion is granted, the parties respectfully request the Court to  
15 extend the time for which the parties must file a Joint Notice of Trial Readiness to be  
16 within ninety (90) days of the date of the Court's ruling on the pending dispositive  
17 motion, with expert depositions to occur within forty (40) days of the Court's ruling  
18 on the pending dispositive motion.

19  
20 IT IS SO STIPULATED:

21  
22 BLANK ROME LLP

SEGAL & ASSOCIATES, P.C.

23 By: /s/ Scott F. Cooper  
24 Anthony B. Haller  
25 Howard M. Knee  
Scott F. Cooper

By: /s/ John T. Kinn  
John T. Kinn

26 *Attorneys for Plaintiffs Synthes, Inc. and*  
27 *DePuy Synthes Sales, Inc.*

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THE MCSHEA LAW FIRM

By: /s/ John P. McShea  
John P. McShea

*Attorneys for Defendant Gregory Knapp  
E-Filed February 2, 2017*

IT IS SO ORDERED.

Dated: February 13, 2017

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE