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Attorneys for Defendants,
DePuy Synthes Sales, Inc.,
Johnson & Johnson Services, Inc.,
Synthes, Inc., and Synthes USA Sales, LLC

1 By and through their undersigned counsel of record, Plaintiffs Edwin Houston Hayes and
2 Greg Knapp (“Plaintiffs”) and Defendants DePuy Synthes Sales, Inc.; Johnson & Johnson Services,
3 Inc.; Synthes, Inc.; and Synthes USA Sales, LLC (“Defendants”) (collectively, the “Parties”) hereby
4 stipulate and agree as follows:

5 WHEREAS, this Court entered its Pretrial Scheduling Order (“Scheduling Order”) on
6 November 13, 2015 (Docket number 12);

7 WHEREAS, on October 28, 2015 and November 5, 2015 Defendants tendered to Plaintiffs
8 statutory offers to compromise pursuant to Rule 68 of the Federal Rules of Civil Procedure;

9 WHEREAS, the Parties engaged in good faith discussions regarding the Rule 68 offers to
10 compromise through the end of November 2015, and Plaintiffs ultimately declined Defendants’
11 Rule 68 offers;

12 WHEREAS, Plaintiffs propounded written discovery in February 2016, and Defendants
13 requested, and Plaintiffs agreed to, a two week extension on their deadline to respond to Plaintiffs’
14 written discovery;

15 WHEREAS, Plaintiffs’ counsel has a trial beginning on April 11, 2016, which is expected to
16 last between 4 and 6 weeks;

17 WHEREAS, Rachel Evans, counsel for Plaintiffs, will be leaving Sundeen Salinas & Pyle
18 and will withdraw as Plaintiffs’ counsel of record in May 2016;

19 WHEREAS, Hunter Pyle, counsel for Plaintiffs, will be unavailable during the last ten days
20 of May 2016 due to speaking at and attending a conference in Switzerland;

21 WHEREAS, the Parties agree that the current Scheduling Order does not allow the Parties
22 sufficient time to complete the discovery that is reasonably necessary for filing dispositive motions
23 and preparing for trial;

24 WHEREAS, based on the progress of this case, a 60-day extension of the deadlines for
25 completing fact discovery and disclosing expert witnesses will allow the Parties to engage in
26 meaningful discovery and to adequately prepare to file dispositive motions and prepare for trial;

27 WHEREAS, the proposed stipulated 60-day extension of the deadlines for completing fact
28

1 discovery and disclosing expert witnesses will not delay or prejudice the timely resolution of this
2 case;

3 WHEREAS, Federal Rule of Civil Procedure 16(b)(4) requires good cause and judicial
4 consent as prerequisites to modifying a scheduling order; and

5 WHEREAS, no extensions of time have been previously sought by the Parties, and the
6 requested extension will not affect the trial date in this case.

7
8 THEREFORE, THE PARTIES HEREBY STIPULATE to, and seek an order from this
9 Court, continuing the deadlines contained in the Scheduling Order as follows:

- 10 1. The Parties shall complete fact discovery by August 2, 2016; and
11 2. The Parties shall disclose experts and produce reports in accordance with Federal
12 Rule of Civil Procedure 26(a)(2) no later than October 4, 2016.

13
14 Respectfully submitted,

15
16 Dated: March 11, 2016

SUNDEEN SALINAS & PYLE

17 By: /s/ Hunter Pyle
18 Hunter Pyle

19 *Attorneys for Plaintiffs*
Edwin Houston Hayes and Greg Knapp

20
21 Dated: March 11, 2016

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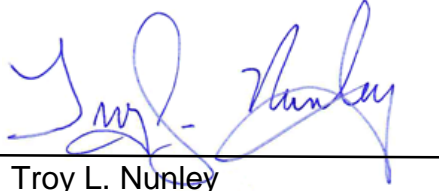
22
23 By: /s/ Caroline Donelan
24 (as authorized on March 9, 2016, L.R. 131(e))
Caroline Donelan

25 *Attorneys for Defendants*
26 DePuy Synthes Sales, Inc.,
27 Johnson & Johnson Services, Inc.,
Synthes, Inc., and Synthes USA Sales, LLC

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IT IS SO ORDERED.

Dated: March 11, 2016



Troy L. Nunley
United States District Judge