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17 *Attorneys for Plaintiffs*
18 Edwin Houston Hayes and Greg Knapp

19 **UNITED STATES DISTRICT COURT**
20 **EASTERN DISTRICT OF CALIFORNIA**

21 EDWIN HOUSTON HAYES and GREG
22 KNAPP,

23 Plaintiffs,

24 v.

25 DEPUY SYNTHES SALES, INC.,
JOHNSON & JOHNSON SERVICES,
26 INC.; SYNTHES, INC., and
SYNTHES USA SALES, LLC,

27 Defendants.
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Case No.: 2:15-cv-01200-TLN-AC

**JOINT STIPULATION AND ORDER
TO FILE SECOND AMENDED
COMPLAINT**

Complaint filed: June 3, 2015
FAC filed: June 10, 2015

1 Defendants SYNTHES, INC., DEPUY SYNTHES SALES, INC., JOHNSON
2 & JOHNSON SERVICES, INC. and SYNTHES USA SALES, LLC (“Defendants”)
3 and Plaintiffs EDWIN HOUSTON HAYES and GREG KNAPP (“Plaintiffs”), by and
4 through their counsel of record, hereby jointly stipulate and respectfully request that
5 the Court permit Plaintiffs to file a second amended complaint as follows:

6 WHEREAS, Plaintiffs’ intend to amend the complaint to add a new Plaintiff,
7 Mark Panozzo (“Panozzo”); and

8 WHEREAS, Defendants stipulate to allow Plaintiffs to file an amended
9 complaint to add Panozzo, but expressly reserve all rights related to the amended
10 complaint, including but not limited to the right to challenge the viability of Panozzo’s
11 claims.

12 THEREFORE, THE PARTIES HEREBY STIPULATE to, and seek an order
13 from this Court, as follows:

- 14 1. Plaintiffs are permitted to file a second amended complaint adding Mark
15 Panozzo as a plaintiff.
16 2. Defendants reserve all rights related to the amended complaint, including
17 but not limited to the right to challenge the viability of Panozzo’s claims.
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19 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
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21 DATED: February 1, 2017

/s/ Chad Saunders

Attorney for Plaintiffs

24 DATED: February 1, 2017

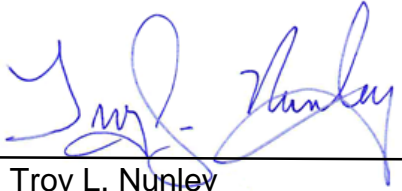
/s/ Caroline P. Donelan

(As authorized on February 1, 2017, L.R.
131(e))

Attorney for Defendants

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2 IT IS SO ORDERED.
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4 Dated: February 13, 2017
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8 _____
9 Troy L. Nunley
10 United States District Judge
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