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 12 Inc., Johnson & Johnson Services, Inc.,
 and Synthes USA Sales, LLC

15 **UNITED STATES DISTRICT COURT**
 16 **EASTERN DISTRICT OF CALIFORNIA**

17 EDWIN HOUSTON HAYES, GREG
 KNAPP, and MARK PANOZZO,

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

18 Plaintiffs,
 19 v.

**JOINT STIPULATION AND ORDER
 TO FILE THIRD AMENDED
 COMPLAINT AND TO EXTEND
 FACT DISCOVERY DEADLINE**

20 DEPUY SYNTHES SALES, INC.,
 JOHNSON & JOHNSON SERVICES,
 21 INC.; SYNTHES, INC., and
 SYNTHES USA SALES, LLC,

22 Defendants.
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Complaint filed: June 3, 2015
 FAC filed: June 10, 2015
 SAC filed: February 20, 2017

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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 third amended complaint as follows:

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

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

12 WHEREAS, the Parties agree that the fact discovery cutoff should be extended
13 from August 31, 2017, until October 16, 2017, in order to allow the Parties to
14 complete discovery for Mr. Alonso’s claims.

15 WHEREAS, the Parties agree that the deadline to file any dispositive motions
16 should be extended from October 25, 2017, until November 17, 2017, in order to
17 allow the Parties adequate time following the close of fact discovery to prepare any
18 dispositive motions. This stipulation will not change any of the other dates set by the
19 Court (*see* Dkt. 36), including the trial date.

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

- 22 1. Plaintiffs are permitted to file a third amended complaint adding Jorge
23 Alonso as a plaintiff.
- 24 2. Defendants reserve all rights related to the amended complaint, including
25 but not limited to the right to challenge the viability of Alonso’s claims.
- 26 3. The fact discovery cutoff shall be October 16, 2017.
- 27 4. The deadline to file dispositive motions shall be **November 16, 2017**.

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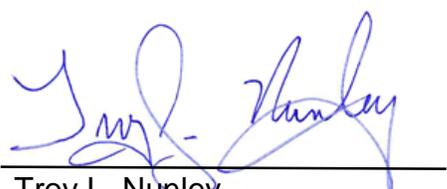
IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: June 6, 2017 /s/ Chad Saunders
Attorney for Plaintiffs

DATED: June 6, 2017 /s/ Caroline P. Donelan
(As authorized on June 5, 2017, L.R. 131(e))
Attorney for Defendants

IT IS SO ORDERED.

Dated: June 6, 2017


Troy L. Nunley
United States District Judge