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12 Attorneys for Defendants  
13 HARRY ALLEN AND AETRIUM INCORPORATED

14 **PLEASE SEE SIGNATURE PAGE**  
15 **FOR COMPLETE LIST OF FILING PARTIES**

16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

19 UTHE TECHNOLOGY CORPORATION,

20 Plaintiff,

21 v.

22 HARRY ALLEN and AETRIUM  
23 INCORPORATED,

24 Defendants.

Case No. 3:95-cv-02377-WHA

**JOINT STIPULATION AND [PROPOSED]  
ORDER FOR SETTLEMENT  
CONFERENCE PARTICIPANTS**

Date: August 6, 2013  
Time: 11:00 a.m.  
Judge: The Honorable Donna M. Ryu

26 At the July 22, 2013 “settlement meet and confer” call, the parties disclosed and agreed  
27 that Plaintiff will be represented at the August 6, 2013 Settlement Conference by Plaintiff’s co-  
28

1 counsel Clinton J. McCord, and Uthe USA's CEO Michael Goodson and Defendants will be  
2 represented by Defendants' counsel David B. Potter and Aetrium's CEO Joseph Levesque.

3 On August 1, Mr. Potter contacted Mr. McCord and requested that Plaintiff confirm that  
4 the conference could go forward without the presence of Defendant Harry Allen. While Plaintiff  
5 believes that Mr. Allen's presence would be beneficial, Plaintiff does not object to the conference  
6 going forward as scheduled without Mr. Allen present.

7 The Parties hereby stipulate and agree that the attendance of Defendant Harry Allen, who  
8 resides outside of the United States, is not necessary at the Settlement Conference.

9 Dated: August 2, 2013

OPPENHEIMER WOLFF & DONNELLY LLP

10 By: s/ David B. Potter  
11 David B. Potter

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**Attorneys for Defendants**  
**AETRIUM INCORPORATED & HARRY ALLEN**

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Dated: August 2, 2013

EDWARDS WILDMAN PALMER LLP

By: s/ Clinton J. McCord  
Clinton J. McCord

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**Attorneys for Plaintiff**  
**UTHE TECHNOLOGY CORPORATION**

**[PROPOSED] ORDER**

The Parties' stipulation to engage in the August 6, 2013 Settlement Conference without the presence of Defendant Harry Allen is granted.

IT IS SO ORDERED.

Dated: August 2, 2013



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Donna M. Ryu  
District Court Judge