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 Counterclaim-Plaintiff,  
 14 COOK INCORPORATED

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

19 EDWARDS LIFESCIENCES LLC and  
 ENDOGAD RESEARCH PTY LIMITED,

20 Plaintiffs/Counterclaim  
 21 Defendants,

22 v.

23 COOK INCORPORATED and  
 W.L. GORE & ASSOCIATES, INC.,

24 Defendants/Counterclaim  
 25 Plaintiffs.

Civil Action No. 03-3817 JSW (WDB)

~~PROPOSED~~ ORDER GRANTING  
 DEFENDANT COOK INCORPORATED'S  
 MOTION FOR REVIEW OF THE  
 CLERK'S TAXATION OF COSTS

**Trial Date: None Set**

Judge Jeffrey S. White  
 Magistrate Judge Wayne D. Brazil

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The Court hereby GRANTS Defendant Cook Incorporated’s Motion for Review of the Clerk’s Taxation of Costs. The amount of costs for the “fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case” is increased from \$49,830.27 to \$70,436.07. The amount of costs for the “fees for exemplification and copies of papers necessarily obtained for use in the case” is increased from \$46,902.60 to \$136,931.40. Accordingly, total costs taxed against Plaintiffs Edwards Lifesciences LLC and EndoGAD Research Pty Limited are \$211,071.97.

DATED: January 12, 2009

  
United States District Court Judge  
Jeffrey S. White

HOWARD  
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& RABKIN  
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