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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEDTRONIC, INC., a Minnesota corporation, MEDTRONIC USA, INC., a Minnesota corporation, and MEDTRONIC VASCULAR, INC., a Delaware corporation,

Plaintiffs,

v.

W.L. GORE & ASSOCIATES, INC., a Delaware corporation,

Defendant.

Case No. C06-04455 JSW

~~PROPOSED~~ ORDER GRANTING-IN-PART AND DENYING-IN-PART GORE'S ADMINISTRATIVE REQUEST TO EXCEED THE PAGE LIMIT FOR ITS DAUBERT MOTION IN LIMINE AND FOR A REPLY BRIEF AND ORAL ARGUMENT

1 This Court, having considered Defendant Gore's Administrative Request To Exceed The
2 Page Limit For Its *Daubert* Motion In Limine And For A Reply Brief And Oral Argument; and
3 Plaintiff Medtronic's opposition thereto; hereby GRANTS-IN-PART AND DENIES-IN-PART
4 Gore's Administrative Request as follows:

- 5
- 6 1) Defendant Gore's request to exceed the page limit for its *Daubert* motion in limine
7 is GRANTED. Pursuant to stipulation, Defendant Gore may exceed the number of
8 pages for its *Daubert* motion in limine by 2 pages (for a total of 9 pages). Plaintiff
9 Medtronic may also file an opposition memorandum of up to 9 pages.
- 10
- 11 2) Defendant Gore's request to file a reply memorandum to its *Daubert* motion in
12 limine is DENIED. If the Court believes a reply is necessary, it will request one
13 from Gore.
- 14 3) Defendant Gore's request for separate oral argument on its *Daubert* motion in
15 limine is DENIED. The motion will be heard with all other motions in limine at
16 the pretrial conference.

17

18 IT IS SO ORDERED.

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21 DATED: June 10, 2009


HONORABLE JEFFREY S. WHITE
JUDGE OF THE U.S. DISTRICT COURT