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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MEDTRONIC, INC., et al.,

Plaintiffs,

No. 06-04455 JSW

v.

W.L. GORE & ASSOCIATES, INC.,

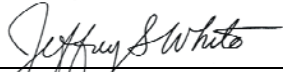
Defendant.

**ORDER GRANTING IN PART  
ADMINISTRATIVE MOTION  
FOR ORDER SHORTENING  
TIME AND CONTINUING**

The Court has received considered W.L. Gore & Associates, Inc.'s ("Gore") motion to shorten time, which the Plaintiffs oppose. The Court concurs with Plaintiffs that Gore has not offered any explanation for the delay in filing the motion to strike. However, the Court also concludes that the motion to strike should be considered on its merits in connection with the *Daubert* motion. Accordingly, the Court **HEREBY ORDERS** that Plaintiffs' opposition to Gore's motion to strike shall be due by no later than **2:00 p.m. on July 29, 2009**. In light of Gore's unexplained delay in filing the motion to strike, the Court shall not permit a reply brief. The Court ***shall not*** revisit that decision. The pretrial conference is **HEREBY CONTINUED** to **Wednesday, August 12, 2009 at 2:00 p.m.** The parties' pretrial filings remain due on July 27, 2009, and the chambers copies of those documents shall be due by no later than 10:00 a.m. on July 28, 2009.

**IT SO ORDERED.**

Dated: July 17, 2009

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE