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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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9 MEDTRONIC, INC., et al.,

No. C 07-567 MMC

10 Plaintiffs,

**ORDER GRANTING MEDTRONIC'S  
MOTION FOR SUMMARY JUDGMENT  
AGAINST AGA'S EQUITABLE-  
ESTOPPEL AFFIRMATIVE DEFENSE  
AND COUNTERCLAIM**

11 v.

12 AGA MEDICAL CORPORATION,


13 Defendant.  
14

15 Plaintiffs Medtronic, Inc., Medtronic USA, Inc., and Medtronic Vascular, Inc.'s  
16 (collectively, "Medtronic") Motion for Summary Judgment Against AGA's Equitable-Estoppel  
17 Affirmative Defense and Counterclaim, filed February 27, 2009, came on regularly for  
18 hearing on November 20, 2009. James J. Elacqua and Andrew N. Thomases of Dechert  
19 LLP appeared on behalf of Medtronic. Steven D. Hemminger and Lance A. Lawson of  
20 Alston & Bird LLP appeared on behalf of defendant AGA Medical Corporation.

21 Having considered the papers filed in support of and in opposition to the motion, as  
22 well as the arguments of counsel, the Court, for the reasons stated on the record at the  
23 hearing, hereby GRANTS the motion.

24 **IT IS SO ORDERED.**

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26 Dated: November 20, 2009

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MAXINE M. CHESNEY  
United States District Judge  
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