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United States District Court
For the Northern District of California

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

MEDTRONIC, INC., et al.,

No. C-07-0567 MMC

Plaintiffs,

**ORDER VACATING APRIL 3, 2009
HEARINGS**

v.

AGA MEDICAL CORPORATION,

Defendant.

Before the Court are the following motions, each scheduled for hearing April 3, 2009:

1. Defendant's "Motion for Summary Judgment (#1) of Noninfringement on the Ground that the Accused Products Do Not Exhibit Stress-Induced Martensite," filed February 27, 2009.
2. Defendant's "Motion (#2) for Summary Judgment of Invalidity under 35 U.S.C. §§ 101 ('Double Patenting'), 102(a) ('Prior Use') and 103 ('Obviousness')," filed February 28, 2009.
3. Defendant's "Motion for Summary Judgment (#3) of Noninfringement on Grounds Other than the Absence of Stress-Induced Martensite," filed February 27, 2009.
4. Plaintiffs' "Motion for Summary Judgment that the Hughes Document Is Not Prior Art," filed February 27, 2009.
5. Plaintiffs' "Motion that the Cragg Filter Experiments Are Not Prior Art under 35

1 U.S.C. § 102 or § 103 and that the Cragg II Paper Is Not Anticipating under § 102,” filed
2 February 27, 2009.


3 6. Plaintiffs’ “Motion for Summary Judgment against AGA’s Equitable Estoppel
4 Affirmative Defense and Counterclaim,” filed February 27, 2009.

5 7. Plaintiffs’ “Motion for Summary Judgment of No Inequitable Conduct,” filed
6 February 27, 2009.

7 Having read and considered the papers filed in support of and in opposition to the
8 motions, the Court finds the matters appropriate for determination without oral argument
9 and hereby VACATES the hearings scheduled for April 3, 2009.

10 **IT IS SO ORDERED.**

11
12 Dated: March 31, 2009


MAXINE M. CHESNEY
United States District Judge