

1 A. Shane Nichols (*pro hac vice*)  
 (snichols@kslaw.com)  
 2 Richard W. Miller (*pro hac vice*)  
 (rmiller@kslaw.com)  
 3 1180 Peachtree Street, N.E.  
 Atlanta, GA 30309-3521  
 4 Telephone: (404) 572.4600  
 Facsimile: (404) 572.5100  
 5

Lisa Kobialka (Bar No. 191404)  
 6 (lkobialka@kslaw.com)  
 333 Twin Dolphin Drive, Suite 400  
 7 Redwood Shores, CA 94065  
 Telephone: (650) 590.0700  
 8 Facsimile: (650) 590.1900  
 KING & SPALDING LLP  
 9

Attorneys for Defendant and Counterclaimant  
 10 DORNIER MEDTECH AMERICA, INC.

11 (*See signature pages for list of all counsel and parties represented*)

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **SAN FRANCISCO DIVISION**

16 VNUS MEDICAL TECHNOLOGIES, INC.,

17 Plaintiff and Counter-defendant,

18 v.

19 BIOLITEC, INC., DORNIER MEDTECH  
 AMERICA, INC., and NEW STAR LASERS,  
 20 INC. d/b/a COOLTOUCH, INC.,

21 Defendants and Counterclaimants.

22 VNUS MEDICAL TECHNOLOGIES, INC.,

23 Plaintiff and Counter-defendant,

24 v.

25 TOTAL VEIN SOLUTIONS, LLC d/b/a/  
 TOTAL VEIN SYSTEMS,

26 Defendant and Counterclaimant.

LEAD CASE NO. C08-03129 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER EXTENDING MEDIATION  
 DEADLINE**

CASE NO. C08-04234 MMC  
 (consolidated with Case No. C08-03129  
 MMC)

27  
 28 STIPULATION AND [PROPOSED] ORDER EXTENDING MEDIATION DEADLINE  
 Lead Case No. C08-03129 MMC  
 Consolidated with Case No. C08-04234 MMC

1 WHEREAS, on November 18, 2008, this Court referred the above-captioned case to the  
2 ADR Department for mediation, and ordered the parties to complete mediation no later than May 1,  
3 2009;

4 WHEREAS, on January 12, 2009, this Court appointed Mr. A. James Isbester, Esquire, of  
5 Townsend and Townsend and Crew, LLP as Mediator;

6 WHEREAS, on February 10, 2009, the parties held a teleconference with Mr. Isbester,  
7 wherein the parties agreed to select a mutually convenient date to participate in mediation;

8 WHEREAS, the parties have conferred among themselves and with Mr. Isbester, and have  
9 determined that May 4, 2009 is the earliest commonly-agreeable date for mediation; and  
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11 WHEREAS, the parties desire an extension of the mediation deadline to May 4, 2009;

12  
13  
14 NOW THEREFORE, it is hereby stipulated and agreed by and between the parties, by and  
15 through their respective attorneys of record, that the deadline to complete mediation shall be  
16 extended to May 4, 2009.  
17

18 DATED: February 27, 2009

**KING & SPALDING LLP**

19 By:           /s/ Richard W. Miller            
20 A. Shane Nichols (*pro hac vice*)  
21 Richard W. Miller (*pro hac vice*)  
22 1180 Peachtree Street, N.E.  
23 Atlanta, GA 30309-3521  
24 Telephone: (404) 572.4600 / (404) 572.5100

25 Lisa Kobialka (Bar No. 191404)  
26 333 Twin Dolphin Drive, Suite 400  
27 Redwood Shores, CA 94065  
28 Telephone: (650) 590.0700 / (650) 590.1900  
Attorneys for Defendant and Counterclaimant  
DORNIER MEDTECH AMERICA, INC.

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**WOLF GREENFIELD & SACKS, PC**

By:     /s/ Michael Rader      
Michael A. Albert (*pro hac vice*)  
Michael Rader (*pro hac vice*)  
Charles T. Steenburg (*pro hac vice*)  
600 Atlantic Avenue  
Boston, MA 02210-2206  
Tel: 617.646.8000  
Fax: 617.646.8646  
malbert@wolfgreenfield.com  
mrader@wolfgreenfield.com  
csteenburg@wolfgreenfield.com  
Attorneys for Defendant and Counterclaimant  
BIOLITEC, INC.

**ORRICK HERRINGTON & SUTCLIFF LLP**

By:     /s/ Allan W. Jansen      
James W. Geriak (Bar No. 32871)  
Allan W. Jansen (Bar No. 81992)  
Mark Stirrat (Bar No. 229448)  
4 Park Plaza, Suite 1600  
Irvine, CA 92614-2558  
Tel: 949.567.6700  
Fax: 949.567.6710  
Robert W. Dickerson (Bar No. 89367)  
777 S. Figueroa Street, Suite 3200  
Los Angeles, CA 90017-5855  
Tel: 213.629.2020  
Fax: 213.612.2499  
jgeriak@orrick.com  
ajansen@orrick.com  
mstirrat@orrick.com  
rdickerson@orrick.com  
Attorneys for Defendant and Counterclaimant  
NEW STAR LASERS, INC. d/b/a COOLTOUCH,  
INC.

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**BUCHE & ASSOCIATES, P.C.**

By:     /s/ John Karl Buche      
John Karl Buche (Bar No. 239477)  
Sean M. Sullivan (Bar No. 254372)  
875 Prospect, Suite 305  
La Jolla, California 92037  
Telephone: 858.812.2840  
Facsimile: 858.459.9120  
jbuche@westerniplaw.com  
sean@westerniplaw.com  
Attorneys for Defendant and Counterclaimant  
TOTAL VEIN SOLUTIONS, LLC d/b/a/ TOTAL  
VEIN SYSTEMS

**DAVIS POLK & WARDWELL**


By:     /s/ Diem-Suong T. Nguyen      
Matthew B. Lehr (Bar No. 213139)  
Diem-Suong T. Nguyen (Bar No. 237557)  
Chung G. Suh (Bar No. 244889)  
1600 El Camino Real  
Menlo Park, CA 94025  
Tel: 650.752.2010  
Fax: 650.752.3610  
mlehr@dpw.com  
nguyen@dpw.com  
gsuh@dpw.com  
Attorneys for Plaintiff and Counter-defendant  
VNUS MEDICAL TECHNOLOGIES, INC.

I hereby attest that I have on file written permission to sign this stipulation from all parties  
whose signatures are indicated by a "conformed" signature (/s/) within this e-filed document.

    /s/ Richard W. Miller      
Richard W. Miller

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: March   3  , 2009.

  
Honorable Maxine M. Chesney  
United States District Court Judge