



1           WHEREAS, a Further Status Conference is scheduled to take place on November 6, 2009, at  
2 10:30 a.m., in Courtroom No. 7, before the Honorable Maxine M. Chesney;

3           WHEREAS, lead counsel for the various defendants live and practice in various cities across  
4 the country. Below-signed lead trial counsel for defendant biolitec, Inc. (“biolitec”) live and practice  
5 in Boston, Massachusetts. Below-signed lead trial counsel for defendant Dornier MedTech  
6 America, Inc. (“Dornier”) live and practice in Atlanta, Georgia. Below-signed lead trial counsel for  
7 defendant New Star Lasers, Inc. d/b/a Cooltouch, Inc. (“Cooltouch”) live and practice in Irvine,  
8 California. Below-signed lead trial counsel for defendant Total Vein Solutions, LLC d/b/a Total  
9 Vein Systems (“TVS”) live and practice in La Jolla/San Diego, California;

10           WHEREAS no motions are set for argument at the hearing set for November 6, and counsel  
11 each believe the hearing will be relatively brief and relate only to case status updates and other  
12 straightforward and brief procedural matters;

13           WHEREAS counsel believe the benefit of a personal appearance at a brief procedural  
14 hearing is outweighed by the significant expense to each of the defendants for their respective  
15 counsel to travel to San Francisco from the various cities in which each attorney practices;

16           WHEREAS plaintiff Tyco Healthcare Group LP d/b/a VNUS Medical Technologies  
17 (“VNUS”), by and through their counsel of record, have agreed to the request by defense counsel to  
18 appear by telephone;

19           NOW THEREFORE, defendants Cooltouch, biolitec, Dornier, TVS and plaintiff VNUS  
20 Medical Technologies, Inc., by and through their respective counsel of record, hereby stipulate,  
21 agree, and jointly apply to the Court for an Order in the above-entitled action permitting the below-  
22 signed defense counsel to telephonically appear at the Further Status Conference set for November  
23 6, 2009.

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Dated: October 27, 2009

Respectfully Submitted,

ATTORNEYS FOR DEFENDANT TOTAL  
VEIN SOLUTIONS, LLC d/b/a TOTAL VEIN  
SYSTEMS

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1 Pursuant to General Order No. 45, I hereby attest that I have concurrence to file this  
2 stipulation from all parties whose signatures are indicated by a “conformed” signature (/s/) within  
3 this e-filed document.

4  
5 /s/ Sean M. Sullivan

6 Sean M. Sullivan

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

9 Dated: November 3, 2009

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11 HON. MAXINE M. CHESNEY  
12 United States District Judge