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 7
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9 UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12	VNUS MEDICAL TECHNOLOGIES, INC.,)	LEAD CASE NO. C08-03129 MMC
)	
13	Plaintiff,)	CASE NO. C08-03129 MMC
)	
14	v.)	STIPULATION AND PROPOSED
)	ORDER OF DISMISSAL OF
15	BIOLITEC, INC., DORNIER MEDTECH)	DEFENDANTS DAVID S. CENTANNI
)	AND TYRELL L. SCHIEK AND
16	INC. d/b/a COOLTOUCH, INC., DAVID S.)	CONSOLIDATION OF RELATED
)	CASES
17	CENTANNI, and TYRELL L. SCHIEK,)	
)	
18	Defendants.)	
)	

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1 The parties stipulate, by and through their respective counsel, as follows:

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3 1. Defendants David S. Centanni and Tyrell L. Schiek are hereby dismissed with
4 prejudice from this action pursuant to Federal Rule of Civil Procedure 41(a)(1). Each party will
5 bear its own costs and attorneys fees.

6 2. The following related actions, which involve common questions of law or fact, are
7 hereby consolidated for all purposes pursuant to Fed. R. Civ. P. 42:

<u>Abbreviated Case Name</u>	<u>Case No.</u>	<u>Date Filed</u>
<i>VNUS v. biolitec et al.</i>	C08-03129 MMC	June 27, 2008
<i>VNUS v. TVS</i>	C08-04234 MMC	September 8, 2008

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11 3. In accordance with Civil L.R. 3-4(b), the caption of every pleading filed in these
12 consolidated actions shall denote lead case number C08-03129 MMC above all consolidated case
13 numbers.

14 4. All papers filed and served to date in either of the foregoing actions are hereby
15 deemed a part of the record in the consolidated actions.

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18 Dated: November 17, 2008

Respectfully Submitted,

19 ATTORNEYS FOR PLAINTIFF
20 VNUS MEDICAL TECHNOLOGIES, INC.

21
22 By: /s/ Suong T. Nguyen
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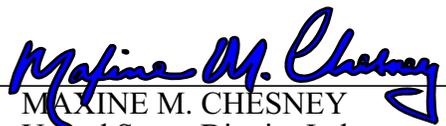
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I hereby attest that I have on file written permission to sign this stipulation from all parties
whose signatures are indicated by a “conformed” signature (/s/) within this e-filed document.

/s/ Suong T. Nguyen
Suong T. Nguyen

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 18, 2008


MAXINE M. CHESNEY
United States District Judge