

1 Matthew B. Lehr (Bar No. 213139)  
 Suong T. Nguyen (Bar No. 237557)  
 2 David J. Lisson (Bar No. 250994)  
 Chung G. Suh (Bar No. 244889)  
 3 DAVIS POLK & WARDWELL  
 1600 El Camino Real  
 4 Menlo Park, California 94025  
 Telephone: (650) 752-2000  
 5 Facsimile: (650) 752-2111

6 Attorneys for Plaintiff  
 VNUS Medical Technologies, Inc.  
 7

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

11 VNUS MEDICAL TECHNOLOGIES, INC., )	)	LEAD CASE NO. C08-03129 MMC
	)	
12 Plaintiff,	)	CASE NO. C08-3129 MMC
	)	
13 v.	)	
	)	
14 BIOLITEC, INC., DORNIER MEDTECH )	)	<b>STIPULATION AND <del>PROPOSED</del></b>
15 AMERICA, INC., and NEW STAR LASERS, )	)	<b>ORDER TO ADJOURN DEADLINE FOR</b>
16 INC. d/b/a COOLTOUCH, INC., )	)	<b>PLAINTIFF VNUS MEDICAL</b>
	)	<b>TECHNOLOGIES, INC. TO RESPOND</b>
17 Defendants.	)	<b>TO COUNTERCLAIMS OF TOTAL</b>
	)	<b>VEIN SOLUTIONS, LLC</b>

18 VNUS MEDICAL TECHNOLOGIES, INC., )	)	CASE NO. C08-04234 MMC
	)	
19 Plaintiff,	)	
	)	
20 v.	)	
	)	
21 TOTAL VEIN SOLUTIONS, LLC d/b/a )	)	
22 TOTAL VEIN SYSTEMS, )	)	
	)	
23 Defendant.	)	
	)	
	)	
	)	

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 STIPULATION TO ADJOURN DEADLINE FOR PLAINTIFF VNUS MEDICAL TECHNOLOGIES, INC. TO  
 RESPOND TO COUNTERCLAIMS OF TOTAL VEIN SOLUTIONS, LLC  
 CASE NOS. C08-03129 MMC & C08-04234 MMC

1 WHEREAS, Plaintiff VNUS Medical Technologies, Inc. (“VNUS”) filed a complaint  
2 against Defendant Total Vein Solutions, LLC, d/b/a Total Vein Systems (“TVS”) in the above-  
3 captioned action on September 8, 2008 and filed a First Amended Complaint on November 14,  
4 2008;

5 WHEREAS, TVS filed an answer and counterclaims against VNUS in response to the First  
6 Amended Complaint on December 4, 2008;

7 WHEREAS, good cause for an extension of time for VNUS to answer or otherwise respond  
8 to TVS’s counterclaims includes enabling VNUS and their counsel to avoid conflict with the year-  
9 end holidays in connection with their investigation of TVS’s counterclaims and preparation of a  
10 response to those counterclaims;

11 WHEREAS, such adjournment will not alter the date of any event or any deadline already  
12 fixed by Court order;

13 NOW THEREFORE, it is hereby stipulated and agreed by the respective parties by and  
14 through their counsel of record that VNUS’s deadline to answer or otherwise respond to TVS’s  
15 counterclaims is adjourned to January 12, 2009.

16  
17 Dated: December 11, 2008

Respectfully Submitted,

18 ATTORNEYS FOR PLAINTIFF  
19 VNUS MEDICAL TECHNOLOGIES, INC.

20  
21 By: /s/ Diem-Suong T. Nguyen  
22 Matthew B. Lehr (Bar No. 213139)  
23 Diem-Suong T. Nguyen (Bar No. 237557)  
24 David J. Lisson (Bar No. 250994)  
25 Chung G. Suh (Bar No. 244889)  
26 DAVIS POLK & WARDWELL  
27 1600 El Camino Real  
28 Menlo Park, CA 94025  
(650) 752-2000/(650) 752-2111 (fax)  
mlehr@dpw.com  
nguyen@dpw.com  
dlisson@dpw.com  
gsuh@dpw.com

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

By: /s/ John Karl Buche  
John Karl Buche (Bar No. 239477)  
Sean Sullivan (Bar No. 254372)  
BUCHE & ASSOCIATES, PC  
875 Prospect, Suite 305  
La Jolla, CA 92037  
Tel: (858) 812-2840  
Fax: (858) 459-9120  
jbuche@westerniplaw.com  
sean@westerniplaw.com

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/ Diem-Suong T. Nguyen  
Diem-Suong T. Nguyen

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

Dated: December 12, 2008

  
MAXINE M. CHESNEY  
United States District Judge