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

11	VNUS MEDICAL TECHNOLOGIES, INC.,)	CASE NO. C08-4234 MMC
)	
12	Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO POSTPONE HEARING ON
13	v.)	TVS' MOTION TO TRANSFER VENUE
)	AND MOTION TO DISMISS
14	TOTAL VEIN SOLUTIONS, LLC d/b/a)	COMPLAINT PURSUANT TO RULE
	TOTAL VEIN SYSTEMS)	12(B)(6)
)	
15	Defendant.)	
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1 Pursuant to Civil L.R. 6-2, Plaintiff VNUS Medical Technologies, Inc. (“VNUS”) and
2 Defendant Total Vein Solutions, LLC d/b/a Total Vein Systems (“TVS”) have conferred and
3 respectfully request that the hearing on TVS’ Motion to Transfer Venue (D.I. 11) and Motion to
4 Dismiss Complaint Pursuant to Rule 12(b)(6) (D.I. 13) be postponed from the noticed date of
5 November 14, 2008 to November 21, 2008 for the following reasons:

6 WHEREAS TVS filed a Motion to Transfer Venue on October 9, 2008 and filed a Motion
7 to Dismiss Complaint Pursuant to Rule 12(b)(6) on October 10, 2008, with both motions noticed to
8 be heard on November 14, 2008.

9 WHEREAS TVS and VNUS are currently engaged in settlement discussions and, in view of
10 the interest of avoiding potentially unnecessary litigation expense and judicial effort, have agreed to
11 postpone the hearing on TVS’ motions from November 14 to November 21, 2008. This new
12 noticed hearing date is the same hearing date for the Motion to Dismiss for Improper Venue filed
13 by TVS’ principals, David S. Centanni and Tyrell L. Schiek, in the related case styled *VNUS*
14 *Medical Technologies, Inc. v. biolitec, Inc. et al.*, Case No. C08-03129 MMC (N.D. Cal.).

15 WHEREAS such postponement will not alter the date of any event or any deadline already
16 fixed by Court order.

17 NOW THEREFORE, by and through their respective counsel, the undersigned parties
18 respectfully request that the Court adjourn the hearing on TVS’ Motion to Transfer Venue and
19 Motion to Dismiss from November 14, 2008 to November 21, 2008. In accordance with Civil L.R.
20 7-3, VNUS’ oppositions to such motions will be due on October 31, 2008, and TVS’ replies to
21 VNUS’ oppositions will be due on November 7, 2008.

22 Dated: October 23, 2008

ATTORNEYS FOR PLAINTIFF
VNUS MEDICAL TECHNOLOGIES, INC.

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