

1 KEN M. MARKOWITZ (SBN 104674)
 2 SAMANTHA D. HILTON (SBN 215585)
 3 KENNEY & MARKOWITZ L.L.P.
 255 California Street, Suite 1300
 4 San Francisco, CA 94111
 Tel: (415) 397-3100
 5 Fax: (415) 397-3170
 Email: kmarkowitz@kenmark.com
 shilton@kenmark.com

6 Attorneys for Defendant
 AMERICAN MEDICAL SYSTEMS, INC.

7 DAN JOHNSON (*Pro Hac Vice*)
 8 AMERICAN MEDICAL SYSTEMS, INC.
 10700 Bren Road West
 9 Minnetonka, MN 55343
 Tel: (952) 933-4666
 10 Fax: (952) 930-6157
 Email: Dan.Johnson@AmericanMedicalSystems.com

11 Attorneys for Defendant
 12 AMERICAN MEDICAL SYSTEMS, INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO – ECF PROGRAM

17 ELLEN AMBROFF and TERRY
 18 AMBROFF,

19 Plaintiffs,

20 v.

21 AMERICAN MEDICAL SYSTEMS, INC.,
 22 and DOES ONE through TWENTY-FIVE,
 inclusive,

23 Defendants.

CASE NO. C08-04289 JL

**STIPULATION AND [~~PROPOSED~~]
 ORDER TO MODIFY CASE
 MANAGEMENT AND PRETRIAL
 ORDER DATED 6/29/09**
 Civil L.R. 7-12

24
 25 This Stipulation is entered into between Plaintiffs, Ellen Ambroff and Terry Ambroff, by
 26 and through their counsel of record, Hersh and Hersh, a professional corporation, and Defendant,
 27 American Medical Systems, Inc., by and through its counsel of record, Kenney & Markowitz,
 28 L.L.P. The parties stipulate as follows:

Kenney
&
Markowitz
L.L.P.

1 1. Based upon the parties Joint Case Management Statement and discussion at the
2 June 24, 2009 Case Management Conference, on June 29, 2009, the Court entered its Case
3 Management and Pretrial Order scheduling various dates in this matter.

4 2. During July, 2009, the Court's clerk contacted counsel for AMS to inform them
5 that the date chosen as the last day to hear dispositive motions was not suitable and that parties
6 should stipulate to another date. The Court suggested September 30, 2010 as the last day to hear
7 dispositive motions.

8 3. The parties stipulate and respectfully request that the Court order September 30,
9 2010 as the last day to hear dispositive motions and incorporate that date into the existing Case
10 Management and Pretrial Order dated June 29, 2009.

11 Respectfully submitted,

12 DATED: October 19, 2009

KENNEY & MARKOWITZ L.L.P

13
14 By: /s/ Samantha D. Hilton
15 KEN M. MARKOWITZ
16 SAMANTHA D. HILTON
Attorneys for Defendant
AMERICAN MEDICAL SYSTEMS INC.

17 DATED: October 19, 2009

HERSH AND HERSH

18
19 By: /s/ Amy Eskin
20 AMY ESKIN
Attorney for Plaintiff
ELLEN AND TERRY AMBROFF

21 **[PROPOSED] ORDER**

22 Pursuant to the parties' stipulation, the last day for the Court to hear dispositive motions in
23 this action is September ²⁹~~30~~, 2010.

24 IT IS SO ORDERED.

25 DATED: 10-20-09

26
27 

JAMES LARSON
UNITED STATES MAGISTRATE JUDGE

28
Kenney
&
Markowitz
L.L.P.