

1 Ryan F. Perkins, Esq.
 Attorney at Law
 2 319 N. Main Street, Suite B
 Fort Bragg, CA 95437
 3 Tel: (707) 964-4900
 Fax: (707) 961-1382
 4

Attorney for Plaintiff KIRK O'DAY

5 Jason E. Pepe (Admitted *Pro Hac Vice*)
 6 Matthew J. Vanis (SBN 210706)
 SHOOK, HARDY & BACON L.L.P.
 7 333 Bush Street, Suite 600
 San Francisco, CA 94104-2828
 8 Phone: (415) 544-1900
 Fax: (415) 391-0281
 9 mvanis@shb.com

10 Attorneys for Defendant
 VALLEYLAB HOLDING CORPORATION

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 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO
 16

17 KIRK O'DAY,
 18 Plaintiff,
 19 vs.
 20 BOVIE MEDICAL CORPORATION, and
 21 DOES 1 to 100, inclusive,
 22 Defendants.
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Case No.: C 10-02333 SI

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE**

Complaint filed: November 10, 2009

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 25 THE PARTIES HEREBY STIPULATE and request that the Case Management
 26 Conference currently set for September 10, 2010, be continued for two weeks, to September 24,
 27 2010. The reason for this request is that the Plaintiff, Kirk O'Day will be absent from the State
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1 on the currently scheduled date, September 10, 2010, and will be available on September 24,
2 2010. This request is based upon the Court's Preference the "parties" be encouraged to attend
3 IT IS SO AGREED.

4 Dated: August 26, 2010

LAW OFFICES OF RYAN PERKINS

6 By: /s/ Ryan Perkins
7 RYAN PERKINS
8 Attorneys for Plaintiff KIRK O'DAY

9 Dated: August 26, 2010

SHOOK, HARDY & BACON LLP

11 By: /s/ Matthew J. Vanis
12 JASON PEPE
13 MATTHEW J. VANIS
14 Attorneys for Defendant COVIDIEN
15 INC.

16 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

17 I, Matthew J. Vanis, attest that concurrence in the filing of this document has been
18 obtained from the signatories. I declare under penalty of perjury under the laws of the United
19 States of America that the foregoing is true and correct. Executed this 26th day of August,
20 2010, at San Francisco, California.

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22 By: /s/ Matthew J. Vanis
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[PROPOSED] ORDER

The current Case Management Conference set for September 10, 2010 is
Oct. 12, at 10 a.m.
continued by agreement of the parties to ~~September 24, 2010~~. IT IS SO ORDERED.



Dated: _____

UNITED STATES DISTRICT JUDGE