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\*E-Filed 5/25/11\*

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	7	Attorneys for Defendant, Stryker Corporation (sued as Stryker)			
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	10	UNITED STATES DISTRICT COURT			
	11	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
	12		) CASENO 2.11 CV 00404 DS		
	13	RICHARD GREGUS, an individual,	) CASE NO. 3:11-CV-00404-RS		
	14	Plaintiff,	) JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE;		
	15		) [PROPOSED] ORDER		
	16	STRYKER, a New Jersey Corporation and DOES 1 to 50, inclusive,			
	17	Defendant.			
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	20	Plaintiff and defendant, by and through their counsel of record, hereby jointly request and			
	21	submit this stipulation to continue the case management conference as follows:			
	22	WHEREAS the Court has scheduled a Case Management Conference for June 2, 2011 at			
	23	10:00 a.m.;			
	24	WHEREAS Defendant filed a Motion to Dismiss Plaintiff's First Amended Complaint,			
	25	and the Court issued an Order dated April 27, 2011 granting Defendant's Motion with leave to			
	26	amend; WHEREAS Plaintiff intends to file a Second Amended Complaint on or before May 20,			
	27				
n N C	28	WIEKEAS Flamun michas to me a Se	cond Amended Complaint on of before way 20,		
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		JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE; [Proposed] ORDER			
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12011;2WHEREAS Defendant's response to the forthcoming Second Amended Complaint will3not be due until the Case Management Conference on June 2, or shortly thereafter;4WHERAS the parties wish to conserve resources by allowing Defendant sufficient time5to determine whether plaintiff's forthcoming Second Amended Complaint states a claim for6relief that survives the statute of limitations bar, and any other related issues, as well as time for a7hearing on any requested Court determination of legal issues that might be raised by the Second8Amended Complaint;9WHEREAS the parties are discussing the issues required for the Case Management10conference; and11WHEREAS there have been no previous modifications of time in this case requested by
2WHEREAS Defendant's response to the forthcoming Second Amended Complaint will3not be due until the Case Management Conference on June 2, or shortly thereafter;4WHERAS the parties wish to conserve resources by allowing Defendant sufficient time5to determine whether plaintiff's forthcoming Second Amended Complaint states a claim for6relief that survives the statute of limitations bar, and any other related issues, as well as time for a7hearing on any requested Court determination of legal issues that might be raised by the Second8WHEREAS the parties are discussing the issues required for the Case Management10conference; and11WHEREAS there have been no previous modifications of time in this case requested by
<ul> <li>not be due until the Case Management Conference on June 2, or shortly thereafter;</li> <li>WHERAS the parties wish to conserve resources by allowing Defendant sufficient time</li> <li>to determine whether plaintiff's forthcoming Second Amended Complaint states a claim for</li> <li>relief that survives the statute of limitations bar, and any other related issues, as well as time for a</li> <li>hearing on any requested Court determination of legal issues that might be raised by the Second</li> <li>Amended Complaint;</li> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>conference; and</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
<ul> <li>WHERAS the parties wish to conserve resources by allowing Defendant sufficient time</li> <li>to determine whether plaintiff's forthcoming Second Amended Complaint states a claim for</li> <li>relief that survives the statute of limitations bar, and any other related issues, as well as time for a</li> <li>hearing on any requested Court determination of legal issues that might be raised by the Second</li> <li>Amended Complaint;</li> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>conference; and</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
<ul> <li>to determine whether plaintiff's forthcoming Second Amended Complaint states a claim for</li> <li>relief that survives the statute of limitations bar, and any other related issues, as well as time for a</li> <li>hearing on any requested Court determination of legal issues that might be raised by the Second</li> <li>Amended Complaint;</li> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>conference; and</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
<ul> <li>6</li> <li>relief that survives the statute of limitations bar, and any other related issues, as well as time for a</li> <li>7</li> <li>8</li> <li>9</li> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>10</li> <li>11</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
<ul> <li>reflet that survives the statute of minitations oar, and any other refleted issues, as won as time for a</li> <li>hearing on any requested Court determination of legal issues that might be raised by the Second</li> <li>Amended Complaint;</li> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>conference; and</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
<ul> <li>Amended Complaint;</li> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>conference; and</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
<ul> <li>WHEREAS the parties are discussing the issues required for the Case Management</li> <li>conference; and</li> <li>WHEREAS there have been no previous modifications of time in this case requested by</li> </ul>
10 10 11 10 11 12 WHEREAS the parties are discussing the issues required for the Case Management 10 10 WHEREAS there have been no previous modifications of time in this case requested by 12
11 WHEREAS there have been no previous modifications of time in this case requested by 12
WHEREAS there have been no previous modifications of time in this case requested by
the parties, and the parties do not anticipate this modification will have any significant impact on 13
this case.
NOW, THEREFORE, IT IS HEREBY STIPULATED:
1. The Case Management Conference currently on calendar for June 2, 2011 shall be
continued to August 4, 2011.
18 DATED: May 2011 LAW OFFICES OF GENE SHIODA
19 MAA
By: <u>Pk</u> Gene Shioda
James Kim     21       James Kim
22 DATED: May <u>19</u> , 2011 SEDGWICK LLP
23
By: <u>/s/ James Nelson</u> Ralph Campillo
25 Mario Horwitz James Nelson
Attorneys for Defendant, Stryker Corporation
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JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER

	1	[PROPOSED] ORDER	
	2	Pursuant to the stipulated request of the parties, the Court hereby orders that:	
	3	1) The Case Management Conference currently on calendar for June 2, 2011 shall be	
	4	continued to August 4, 2011.	
	5		
	6	Dated: May 24, 2011	
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	8	HONORABLE RICHARD SEEBORG	
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NOLD LLP	24		
KAN & ARI	25		
WIC BETERT, MC	26		
Sedgwick Moran & Arnold LP	27		
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		JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER	