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 MEDAPPS, INC.

13
 14 **UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 ROBERT BOSCH HEALTHCARE
 16 SYSTEMS INC.,

17 Plaintiff,

18 v.

19 MEDAPPS, INC.,

20 Defendant

Case No.: CV 12-00113-RS

**JOINT MOTION FOR LEAVE TO
 EXTEND DATE OF THE MEDIATION
 CONFERENCE**

21
 22 MEDAPPS, INC.,

23 Counterclaimant,

24 v.

25 ROBERT BOSCH HEALTHCARE

26 SYSTEMS, INC.,

27 Counterclaim-Defendant

1 Defendant /Counterclaimant MedApps, Inc. (“MedApps”) and Plaintiff/Counterclaim
2 Defendant Robert Bosch Healthcare Systems, Inc. (“Bosch,” together with MedApps, the
3 “Parties”) by and through their undersigned counsel, respectfully move this Court to extend the
4 deadline for the Mediation Conference by one month. In support of this Motion, the Parties
5 respectfully state the following:

- 6 1. On May 25, 2012, the Court entered the Case Management Scheduling Order [Docket
7 No. 44]. The Court set the deadline for the mediation to be completed within 120
8 days of the entry of this Order, or by September 24, 2012.
- 9 2. On June 15, 2012, the Court appointed A. James Isbester as Mediator (the
10 “Mediator”) in this case [Docket No. 45].
- 11 3. On July 16, 2012, a pre-mediation teleconference was held with the Mediator and all
12 Parties. At that time, the Mediator was informed that MedApps has recently merged
13 with Alere, Inc. (“Alere”). Alere has a license for each of the Patents-in-Suit. In light
14 of this merger and on-going informal settlement discussions, the parties postponed
15 scheduling and other substantive discussions to a second pre-mediation
16 teleconference to be held on August 16, 2012.
- 17 4. On August 16, 2012, the second pre-mediation teleconference was held with the
18 Mediator and all Parties. During that call, a formal mediation was scheduled for
19 October 19, 2012 in San Francisco, California, with briefs to be due on October 16,
20 2012. This date was chosen to accommodate the Parties’ schedules as well as to
21 allow limited discovery related to alleged damages to occur prior to the mediation.
- 22 5. Good cause exists to extend the date for mediation to be completed by thirty (30)
23 days to accommodate these needs.
- 24
- 25
- 26

27 WHEREFORE, the Parties jointly request that deadline for the Mediation Conference be
28 extended for thirty (30) days from September 24, 2012, to and including, October 24, 2012.

1 DATED: August 21, 2012

WOMBLE CARLYLE SANDRIDGE & RICE LLP

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16 *Attorney for Plaintiff Robert Bosch Healthcare Systems,*
17 *Inc.*

18 **PROPOSED ORDER**

19 The Court, having considered the parties' above Joint Motion for Leave to Extend Date
20 of the Mediation Conference, it is this 21 day of August, 2012, by the United States District
21 Court for the Northern District of California, ORDERED that:

- 22
- 23 1. The motion is GRANTED; and
 - 24 2. The date by which the Mediation Conference is to be held is hereby extended from
25 September 24, 2012 to October 24, 2012.
- 26

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Judge Richard Seeborg
United States District Judge