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6 Attorneys for Defendants
 7 BAUSCH & LOMB, INC. and
 8 TECHNOLAS PERFECT VISION GMBH,
 9 Incorrectly sued herein as
 10 TECHNOLAS GMBH PERFECT VISION

10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 JOANNA KINZEL and BRENT
 14 KINZEL,
 15 Plaintiffs,
 16 vs.
 17 BAUSCH & LOMB, INC., BAUSCH
 18 & LOMB SURGICAL, INC.,
 19 TECHNOLAS GMBH PERFECT
 20 VISION and DOES ONE through ONE
 21 HUNDRED,
 22 Defendants.

No. CV-12-4260 MMC
**STIPULATION AND
 [PROPOSED] ORDER
 RELATING TO DATES AND
 DEADLINES FOR CASE
 MANAGEMENT
 CONFERENCE, STATEMENT,
 INITIAL DISCLOSURES,
 REPORTS AND ADR**
 [L.R. 7-12]

23 **STIPULATION**

24 On February 22, 2013, a Stipulation and Order Relating to Dates
 25 and Deadlines for Case Management Conference and ADR Deadlines was
 26 entered by the Honorable Maxine M. Chesney. Pursuant to that Order, April 13,
 27 2013 was set as the last day to: (1) meet and confer regarding initial disclosures,
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1 early settlement, ADR process selection and discovery plan [Fed. R. Civ. P.
2 26(f) & ADR L.R. 3-5]; (2) file the ADR Certification signed by the Parties and
3 Counsel [Civ. L.R. 16-8(b) & ADR L.R. 3-5(b)]; and (3) file either Stipulation to
4 ADR Process or Notice of Need for ADR Phone Conference [Civ. L.R. 16-8(c)
5 & ADR L.R. 3-5(b) & (c)]. The Order further set April 17, 2013 as the last day
6 for the parties to file a Rule 26(f) Report, and complete initial disclosures or state
7 objection in Rule 26(f) Report [Fed. R. Civ. P. 26(a)(1)]. The Order scheduled an
8 Initial Case Management Conference on April 26, 2013. The Order further
9 provided that the last day for the parties to file a Joint Case Management
10 Statement was April 19, 2013.

11 With respect to the current status of this case, it has been resolved.
12 A stipulation for dismissal with prejudice of the entire action will be filed within
13 45 days, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Accordingly, the parties
14 hereby stipulate to adjustments to deadlines as follows:

15 The last day for the parties to perform the following is hereby
16 adjusted from April 3, 2013 to May 17, 2013: (1) meet and confer regarding
17 initial disclosures, early settlement, ADR process selection, and discovery plan
18 [Fed. R. Civ. P. 26(f) & ADR L.R. 3-5]; (2) file the ADR Certification signed by
19 Parties and Counsel [Civ. L.R. 16-8(b) & ADR L.R. 3-5(b)]; and (3) file either
20 Stipulation to ADR Process or Notice of Need for ADR Phone Conference [Civ.
21 L.R. 16-8(c) & ADR L.R. 3-5(b) & (c)].

22 The last day for the parties to file a Rule 26(f) Report, complete
23 initial disclosures or state objection in Rule 26(f) Report, is hereby adjusted from
24 April 7, 2013 to May 31, 2013.

25 The initial Case Management Conference is re-set from April 26,
26 2013 and now will be held before the Honorable Maxine M. Chesney in
27 Courtroom No. 7, 19th floor Federal Building at 10:30 a.m. on June 7, 2013.

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The deadline to file a Joint Case Management Conference Statement addressing each agenda item listed in the *Standing Order for All Judges of the Northern District of California/Contents of Joint Case Management Statement* is no less than seven (7) days before the conference (i.e., May 31, 2013).

IT IS SO STIPULATED.

DATED: April 4, 2013 HASSARD BONNINGTON LLP

By /s/ Thomas M. Frieder
Thomas M. Frieder
Attorneys for Defendants
Bausch & Lomb, Inc. and
Technolas Perfect Vision GmbH,
incorrectly sued herein as
Technolas GmbH Perfect Vision

DATED: April 4, 2013 WALKUP, MELODIA, KELLY & SCHOENBERGER

By Doris Cheng
Doris Cheng
Attorneys for Plaintiffs
JOANNA KINZEL and BRENT KINZEL

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED, with the exception that the Case Management Conference is CONTINUED to **June 14, 2013**. In light of sequestration, the U.S. District Court - San Francisco Division will be closed on June 7, 2013.

DATED: April 8, 2013

Mafine M. Cheney
UNITED STATES DISTRICT JUDGE