

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

12 DR. SHAUN L. W. SAMUELS) Case No.: CV-13-2261-EMC
13 vs. Plaintiff,)
14 TRIVASCULAR, INC.) [PROPOSED] ORDER GRANTING
15) JOINT STIPULATION TO STAY CASE
16) PENDING *INTER PARTES* REVIEW
17)
18)
19 TRIVASCULAR, INC.)
20) Counter-Claimant,)
21)
22 DR. SHAUN L. W. SAMUELS)
23) Counter-Defendant)

26 Pursuant to the Joint Stipulation To Stay Case Pending *Inter Partes* Review, and the
27 Court having been fully advised, and good cause shown, the Court orders as follows:
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[PROPOSED] ORDER GRANTING
STAY PENDING *INTER PARTES*
REVIEW

Case No. CV-13-2261-EMC

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1. This case shall be stayed pending the PTAB's decision on whether to grant TriVascular's petition for *inter partes* review and thereby institute review of the '575 patent.
2. The parties shall file a status report within ten days of the date on which the PTAB's decision is rendered regarding the *inter partes* petition and shall file a copy of the decision as an attachment to the report. In the event the petition is not granted, the stay is lifted subject to further order of the Court.
3. Should the PTAB institute *inter partes* review of the '575 patent, the case shall be further stayed until the PTAB issues a final written decision.
4. The parties shall file a status report within ten days of the date on which the PTAB's final written decision is rendered and shall file a copy of the decision as an attachment to the report. Upon notice of issuance of the PTAB's final written decision to the Court, the stay is lifted subject to further order of the Court.
5. In addition, the parties shall file a status report every six months from the date of the Court's order granting a stay of this case.
6. Accordingly, all deadlines in the case are stayed, and the hearing on the motion to stay and initial case management conference on September 19, 2013 are vacated.

PURSUANT TO THE STIPULATION, IT IS SO ORDERED. The Case Management Conference is rescheduled from 9/19/13 to 3/13/14 at 9:00 a.m. A joint CMC statement shall be filed by 3/6/14.

8/28/13

DATED:

**[PROPOSED] ORDER GRANTING
STAY PENDING INTER PARTES
REVIEW**

