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7 Attorneys for Plaintiff/Defendant  
 INTUITIVE SURGICAL, INC.

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 ILLINOIS UNION INSURANCE COMPANY, an Illinois corporation,	)	CASE NO.: 3:13-CV-04863-JST (JCS)
13 Plaintiff,	)	<b>JOINT STIPULATION RE:          DEADLINE TO PRODUCE          EVIDENCE TO SUPPORT BRANDT          FEES; AND</b>
14 v.	)	
15 INTUITIVE SURGICAL, INC., a Delaware corporation,	)	
16 Defendant.	)	
	)	
17	)	Complaint Filed: October 21, 2013
18	)	Judge: Honorable Jon S. Tigar
19	)	Trial Date: June 19, 2017
20	)	CASE NO. 3:15-cv-04834-JST (JCS)
21 Plaintiff,	)	Complaint Filed: October 20, 2015
22 v.	)	
23 ILLINOIS UNION INSURANCE COMPANY; NAVIGATORS SPECIALTY INSURANCE CO.,	)	
24 Defendants.	)	
25	)	

1 Intuitive Surgical, Inc. (“Intuitive”) and Illinois Union Insurance Company (“Illinois Union”)  
2 jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to extend the current deadline  
3 for fact discovery, with respect to the production of documents relating to Brandt fees only, until  
4 May 19, 2017 (30 days before trial).

5 WHEREAS, Intuitive is seeking Brandt fees in connection with its implied covenant of good  
6 faith and fair dealing claim against Illinois Union (see Brandt v. Superior Court, 37 Cal. 3d 813  
7 (1985));

8 WHEREAS, as currently scheduled, the deadline for all fact discovery is November 10, 2016  
9 (Dkt. 186);

10 WHEREAS, as currently scheduled, a jury trial is set for June 19, 2017 (Dkt. 186);

11 WHEREAS, the parties have met and conferred, and agree that to the extent that Intuitive  
12 produces any evidence supporting Brandt fees, including legal bills, invoices, or receipts, such  
13 evidence need not be produced until May 19, 2017 (30 days before trial);

14 NOW THEREFORE, the parties, through the undersigned counsel, hereby stipulate with  
15 respect to the deadlines previously imposed in Case No. 3:13-cv-04863-JST:

- 16 • that the November 10, 2016 deadline for fact discovery be extended until May 19,  
17 2017 (30 days before trial) solely for the production of evidence supporting Brandt  
18 fees.

19 The parties’ proposed time modifications would impact the deadlines in Case Nos. 3:13-cv-  
20 04863-JST as follows:

21 <b>Event</b>	<b>Current Schedule</b>	<b>New Schedule</b>
22 Fact Discovery Cut-Off	11/10/2016	11/10/2016 (Except for Brandt Fees Evidence)
23 Deadline to Produce Evidence Supporting Brandt Fees	N/A	5/19/2017

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DATED: October 25, 2016

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By:                                 /s/ James P. Schaefer                                  
Attorneys for Plaintiff/Defendant  
INTUITIVE SURGICAL, INC.

DATED: October 25, 2016

COZEN O’CONNER

By:                                 /s/ Charles E. Wheeler                                  
Attorneys for Defendants  
ILLINOIS UNION INSURANCE COMPANY

Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this document has been obtained from the signatories above.

  /s/ James P. Schaefer

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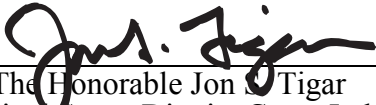
~~PROPOSED~~ ORDER

PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS ORDERED THAT:

The prior deadlines in Case No. 3:13-cv-04863-JST are amended as follows:

Event	Current Schedule	New Schedule
Fact Discovery Cut-Off	11/10/2016	11/10/2016 (Except for Brandt Fees Evidence)
Deadline to Produce Evidence Supporting Brandt Fees	N/A	5/19/2017

DATED: October 26, 2016

By:   
The Honorable Jon S. Tigar  
United States District Court Judge