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 25 MALEM MEDICAL, LTD. and ENURESIS ASSOCIATES, LLC

26 UNITED STATES DISTRICT COURT
 27 NORTHERN DISTRICT OF CALIFORNIA

28 MALEM MEDICAL, LTD. and ENURESIS
 ASSOCIATES, LLC,

Plaintiffs,

v.

THEOS MEDICAL SYSTEMS, INC. and
 SAKET BHATIA,

Defendants.

CASE NO.: 3:13-cv-05236-EMC

**JOINT STIPULATION AND PROPOSED
 ORDER TO EXTEND ADR DEADLINE
 AND TO CONTINUE CASE
 MANAGEMENT CONFERENCE**

AND RELATED COUNTERCLAIMS

1 Plaintiffs and Counter-defendants MALEM MEDICAL, LTD. and ENURESIS ASSOCIATES,
2 LLC and Defendants and Counter-claimants THEOS MEDICAL SYSTEMS, INC. and SAKET
3 BHATIA (collectively, “the parties”), jointly submit this Joint Stipulation and Proposed Order to
4 Extend ADR Deadline.

5 WHEREAS, on February 27, 2014, the Court referred this matter to mediation, to be
6 completed within 120 days;

7 WHEREAS, a further Case Management Conference was set for July 31, 2014;

8 WHEREAS, new defense counsel appeared in this matter on April 24, 2014;

9 WHEREAS, on April 30, 2014, the parties submitted the names of their proposed mediators
10 to the ADR Clerk;

11 WHEREAS, on May 8, 2014, the ADR Clerk appointed Timothy E. Carr, Esq. as mediator in
12 this matter;

13 WHEREAS, counsel for the parties participated in a telephone conference with Mr. Carr on
14 May 29, 2014, during which it was decided that due to calendaring issues and the need to complete
15 30(b)6 depositions, the mediation deadline should be continued for approximately 60 days;

16 WHEREAS, the counsel for the parties have met and conferred and agree that 30(b)(6)
17 depositions will be completed by July 31, 2014;

18 WHEREAS, counsel for the parties have met and conferred and agree that mediation will take
19 place on August 21, 2014;

20 IT IS HEREBY STIPULATED that the deadline to complete mediation shall be extended by
21 60 days, to August 26, 2014.

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1 IT IS FURTHER STIPULATED that the July 31, 2014 Case Management Conference shall
2 be continued by 60 days, to the next date available on the Court's calendar.

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4 IT IS SO STIPULATED.

5 CLAPP, MORONEY, BELLAGAMBA,
6 VUCINICH, BEEMAN and SCHELEY

7 DATED: June 23, 2014

8 /s/ P. Christian Scheley
By: _____
9 P. CHRISTIAN SCHELEY, ESQ.
10 Attorneys for Defendants and
11 Counterclaimants, THEOS MEDICAL
12 SYSTEMS, INC. and SAKET BHATIA

DONAHUE FITZGERALD LLP

13 DATED: June 23, 2014

14 /s/ Andrew F. Brimmer
By: _____
15 ANDREW F. BRIMMER, ESQ.
16 Attorneys for Defendants and
17 Counterclaimants, THEOS MEDICAL
18 SYSTEMS, INC. and SAKET BHATIA

CRAIGIE, McCARTHY & CLOW

19 DATED: June 23, 2014

20 /s/ Peter W. Craigie
By: _____
21 PETER W. CRAIGIE, ESQ.
22 Attorneys for Plaintiffs and
23 Counterdefendants, MALEM MEDICAL,
24 LTD. and ENURESIS ASSOCIATES, LLC

25 IT IS SO ORDERED. The further CMC is reset from 7/31/14 to 10/9/14 at
26 10:30 a.m. An update joint CMC statement shall be filed by
27 10/2/14.

28 Dated: June ²⁷_____, 2014



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CERTIFICATION OF CONCURRENCE FROM ALL SIGNATORIES

I, P. Christian Scheley, Esq., am the ECF user whose ID and password are being used to file this Joint Stipulation and Proposed Order to Extend ADR Deadline. In compliance with N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that I have obtained the concurrence of each signatory to this document.

Dated: June 23, 2014

/s/ P. Christian Scheley

P. CHRISTIAN SCHELEY, ESQ.