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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 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, the deadline to complete mediation in this matter is August 26, 2014, pursuant  
6 to the Court’s June 27, 2014 order;

7 WHEREAS, the parties were scheduled to participate in mediation with Timothy E. Carr, Esq.  
8 on August 21, 2014;

9 WHEREAS, counsel for Defendants, P. Christian Scheley, Esq., is scheduled to begin trial in  
10 Monterey County Superior Court on August 18, 2014;

11 WHEREAS, the parties completed 30(b)6 depositions on July 28, 2014;

12 WHEREAS, after the 30(b)(6) depositions were completed, the parties determined that it  
13 would be beneficial to exchange additional documents relevant to Plaintiff’s lost profits claim prior  
14 to participating in mediation;

15 WHEREAS, the parties met and conferred and agreed to continue the mediation to September  
16 10, 2014;

17 IT IS HEREBY STIPULATED that the deadline to complete mediation shall be extended to  
18 September 30, 2014.

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1 IT IS FURTHER STIPULATED that the October 9, 2014 Case Management Conference shall  
2 remain on calendar as previously scheduled, with an updated joint Case Management Statement to be  
3 filed on October 2, 2014.

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5 IT IS SO STIPULATED.

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

8 DATED: August 7, 2014

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

14 DATED: August 7, 2014

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

20 DATED: August 7, 2014

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

26 IT IS SO ORDERED.

27 Dated: August 8, 2014

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HONORABLE JUDGE EDWARD M. CHEN  
United States District Judge  
SHERMAN DISTRICT COURT OF CALIFORNIA  
IT IS SO ORDERED  
Judge Edward M. Chen

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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: August 7, 2014

/s/ P. Christian Scheley

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P. CHRISTIAN SCHELEY, ESQ.