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15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

17 KARL STORZ ENDOSCOPY-)
 18 AMERICA, INC.,)
)
 19 Plaintiff,)
)
 20 v.)
 21 STRYKER CORPORATION and)
 22 STRYKER COMMUNICATIONS, INC.,)
)
 23 Defendants.)
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 25
 26
 27
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Case No. CV 14-00876 RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO CHANGE THE DATE OF
 THE CLAIM CONSTRUCTION
 HEARING AND TO EXTEND THE
 DEADLINE TO FILE RESPONSIVE
 CLAIM CONSTRUCTION BRIEFS**

1 Pursuant to Civil Local Rule 6-1(b) and 7-12, Plaintiff Karl Storz Endoscopy-America, Inc.
2 ("KSEA") and Defendants Stryker Corporation and Stryker Communications, Inc. (collectively,
3 "Stryker"), by and through their undersigned counsel, hereby stipulate to and jointly request the Court
4 to (1) reschedule the Claim Construction Hearing to June 6, 2016 at 10:00 a.m., and (2) continue the
5 deadline to file responsive claim construction briefs to May 13, 2016. The accompanying declaration
6 of Michael J. Carrozza sets forth all requirements of Civil Local Rule 6-2, including identifying all
7 previous time modifications in the case. For the Court's convenience, the Parties will not repeat all
8 information contained in Mr. Carrozza's declaration, but the Parties do note as follows:

9 1. On April 22, 2016, the Clerk entered a Notice changing the date of the Technology
10 Tutorial from May 9, 2016 to May 23, 2016 at 10:00 a.m., and changing the date of the Claim
11 Construction Hearing from May 23, 2016 to May 27, 2016 at 10:00 a.m. (*See* Dkt. 183.)

12 2. On April 23, 2016, Defendants' counsel contacted the Courtroom Deputy because the
13 new May 27 date for the rescheduled Claim Construction Hearing posed a scheduling conflict for
14 Defendants. After meeting and conferring with Plaintiff's counsel, Defendants' counsel proposed
15 rescheduling the Claim Construction Hearing to June 6, 2016 at 10:00 a.m. The Courtroom Deputy
16 stated that the Court was amenable to holding the Claim Construction Hearing at that date and time.

17 3. Additionally, in light of the Technology Tutorial and Claim Construction Hearing
18 each being moved back by two weeks, the Parties also seek to extend the deadline for filing
19 responsive claim construction briefs to May 13, 2016.

20 4. The Parties filed opening claim construction briefs on April 15, 2016 and are currently
21 scheduled to file responsive claim construction briefs on April 29, 2016. Once the Technology
22 Tutorial and Claim Construction Hearing were rescheduled, the Parties met and conferred and agreed
23 that both parties could benefit from additional time to thoroughly review the other's opening brief
24 and prepare adequate responses thereto. The Parties also agreed to not calling live witnesses to
25 testify at the Claim Construction Hearing.

26 5. Thus, the Parties hereby request (1) that the Claim Construction Hearing be
27 rescheduled to June 6, 2016 at 10:00 a.m. and (2) that the deadline to file responsive claim
28 construction briefs be rescheduled to May 13, 2016.

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1 ~~[PROPOSED]~~ ORDER

2 PURSUANT TO STIPULATION, IT IS SO ORDERED:

- 3
- The Claim Construction Hearing is rescheduled to June 6, 2016 at 10:00 a.m.; and
 - The deadline to file responsive Claim Construction Briefs is continued to May 13, 2016.
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7 Dated: 4/25/16, 2016



Honorable Richard G. Seeborg,
United States District Judge