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 15 CARDIOCOM, LLC

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

19 ROBERT BOSCH HEALTHCARE	)	CASE NO. 3:14-CV-01575-EMC
20 SYSTEMS, INC.,	)	
	)	
21 Plaintiff,	)	<b>JOINT STIPULATION TO CONTINUE</b>
	)	<b>HEARING DATE ON PLAINTIFF'S</b>
22 v.	)	<b>MOTION TO DISQUALIFY</b>
	)	<b>MERCHANT &amp; GOULD</b>
23 CARDIOCOM, LLC,	)	
	)	
24 Defendant-Counterclaimant.	)	
	)	

1 Pursuant to Civil Local Rules 7-12, Plaintiff Robert Bosch Healthcare Systems, Inc. and  
2 Defendant Cardiocom, LLC (“Cardiocom”) hereby submit this Joint Stipulation Requesting  
3 Continuance of Hearing on Plaintiff’s Motion to Disqualify Merchant & Gould. *See* Dkt. No. 59.  
4 The hearing on that motion is presently scheduled for May 22, 2014. *See* Dkt. No. 89. The parties  
5 request that the hearing be continued to May 29, 2014.

6 This stipulation to continue the hearing date is requested to accommodate a scheduling  
7 conflict that Cardiocom’s lead counsel has on May 22. Cardiocom’s lead counsel, Daniel McDonald  
8 of the Merchant & Gould firm, has indicated that he will be in Minnesota on that date to take the  
9 deposition of Plaintiff’s technical expert relating to his testimony submitted by Plaintiff to the U.S.  
10 Patent Office Patent Trial and Appeal Board in ongoing *inter partes* review (“IPR”) proceedings  
11 concerning patents asserted in this litigation. The parties agreed to the date and location of this  
12 deposition prior to the Court’s setting of the hearing date to May 22, and Plaintiff’s counsel has  
13 indicated that the witness is unable to reschedule.

14 The requested continuance shall not otherwise affect scheduling issues for the case.

15 **IT IS SO STIPULATED**, through counsel of record:

16  
17 DATED: May 9, 2014 /s/ Bas de Blank  
18 Counsel for Plaintiff Robert Bosch Healthcare Systems, Inc.

19 DATED: May 9, 2014 /s/ Timothy G. Majors  
20 Counsel for Defendant Cardiocom, LLC

21  
22 **PURSUANT TO STIPULATION, IT IS SO ORDERED** that the hearing on Plaintiff’s  
23 Motion to Disqualify Merchant & Gould is continued to May 29, 2014:

24  
25 Dated: May 12, 2014

26 UNITED STATES DISTRICT COURT EDWARD M. CHEN



1 **ATTESTATION OF CONCURRENCE IN FILING**

2 I, Timothy G. Majors, am the ECF User whose identification and password are being used to  
3 file this Joint Stipulation. In compliance with Local Rule 5-1(i)(3), I hereby attest that Bas de Blank  
4 of Orrick, Herrington & Sutcliffe LLP has concurred in this filing.  
5

6 DATED: May 9, 2014

/s/ Timothy G. Majors  
Timothy G. Majors

7  
8  
9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on May 9, 2014, a true and correct copy of the foregoing document is  
11 being filed electronically with the Clerk of the United States District Court for the Northern District  
12 of California by using the CM/ECF system, which will send notice of such filing to all counsel of  
13 record.  
14

15 Date: May 9, 2014

/s/ Timothy G. Majors  
Timothy G. Majors