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9 *Attorneys for Plaintiffs*
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11 *Additional Counsel Listed Below*

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14 MICHAEL A. RUSSELL JR. and JONATHAN
 15 SASSANI,

16 Plaintiffs,

17 v.

18 SYNTHES, INC.; DEPUY SYNTHES SALES,
 19 INC.; JOHNSON & JOHNSON SERVICES,
 20 INC.; and SYNTHES USA SALES, LLC,

21 Defendants.

Case No. 3:15-cv-03173-EMC

**STIPULATION FOR ENTRY OF
 JUDGMENT AND [PROPOSED] ORDER**

Date: January 28, 2016
Time: 9:30 a.m.
Location: Courtroom 5, 17th Floor
450 Golden Gate Avenue
San Francisco, California
Judge: Hon. Edward M. Chen

Action Filed: June 8, 2015

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Attorneys for Defendants
Synthes, Inc.; Depuy Synthes Sales, Inc.;
Johnson & Johnson Services, Inc.; and Synthes USA Sales, LLC

1 **STIPULATION**

2 Plaintiffs Michael A. Russell Jr. and Jonathan Sassani (“Plaintiffs”) and Defendants
3 Synthes, Inc.; DePuy Synthes Sales, Inc.; Johnson & Johnson Services, Inc.; and Synthes USA
4 Sales, LLC (“Defendants”), by and through their counsel of record, hereby jointly stipulate and
5 agree as follows:

6 WHEREAS, a full and final settlement of the above-entitled action has been entered and
7 agreed to by all parties.

8 WHEREAS, Defendants presented both Plaintiffs with Offers of Judgment pursuant to
9 Rule 68 of the Federal Rules of Civil Procedure, dated November 5, 2015. Plaintiffs each filed a
10 separate “Notice of Acceptance” of Defendants’ Rule 68 Offers of Judgment on November 23,
11 2015.

12 WHEREAS, the Parties have reached a mutual agreement regarding the payment of
13 Plaintiffs’ attorneys’ fees and costs.

14 **IT IS HEREBY STIPULATED AND AGREED THAT:**

15 1. Judgment shall be entered in favor of Plaintiff Michael A. Russell, Jr. and against all
16 Defendants pursuant to Defendants’ Rule 68 Offer of Judgment accepted by Plaintiff Michael A.
17 Russell, Jr. on November 23, 2015.

18 2. Judgment shall be entered in favor of Plaintiff Jonathan Sassani and against all
19 Defendants pursuant to Defendants’ Rule 68 Offer of Judgment accepted by Plaintiff Jonathan
20 Sassani on November 23, 2015.

21 3. Defendants shall pay Plaintiffs’ counsel reasonable attorneys’ fees and costs in the
22 amount mutually agreed upon by the Parties.

23 4. This judgment shall be binding upon the parties, their successors and assigns.

24 5. The Court shall retain jurisdiction of this case for purposes of enforcement of the
25 Stipulated Judgment.

26 **IT IS SO STIPULATED.**

1 Dated: December 29, 2015

SUNDEEN SALINAS & PYLE

2
3 By: /s/ Hunter Pyle
Hunter Pyle

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10 *Attorneys for Plaintiffs*
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12 Dated: December 29, 2015

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24 *Attorneys for Defendants,*
DePuy Synthes Sales, Inc.,
25 Johnson & Johnson Services, Inc.,
Synthes, Inc., and Synthes USA Sales, LLC
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~~[PROPOSED]~~ ORDER

This Court, having read the Stipulated Judgment of the Parties, and good cause appearing, hereby ORDERS THAT that the terms of the above stipulation are approved and adopted as the order of the Court as if set forth in full herein. The Clerk of the Court is directed to enter final judgment in this matter.

IT IS SO ORDERED.

1/5/2016

Date: _____

HON. EDWARD M. CHEN
United States District Judge

