

1 Richard H. Friedman (SBN 221622)  
 rfriedman@friedmanrubin.com  
 2 Peter J. Mullenix (admitted pro hac vice)  
 pmullenix@friedmanrubin.com  
 3 FRIEDMAN | RUBIN  
 4 51 University Street, Suite 201  
 Seattle, WA 98101  
 5 Tel: 206-501-4446  
 6 Fax: 206-623-0794

7 John Graham Hill (admitted pro hac vice)  
 ghill2013@gmail.com  
 8 3251 Huntingdon Place  
 9 Houston TX 77019  
 10 Tel: 713-459-8041

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 AT SAN FRANCISCO

13 RICHARD POHLY,  
 14  
 Plaintiff,  
 15 v.  
 16 INTUITIVE SURGICAL, INC., a Delaware  
 corporation headquartered in California,  
 17  
 Defendant.  
 18

No. 3:15-cv-04113 MEJ

**STIPULATION AND ~~PROPOSED~~ ORDER  
 REGARDING SCHEDULING**

19  
 20 The parties hereby agree and stipulate that Defendant ISI will be allowed seven court days  
 21 to file a motion to seal any portion of the following documents, or the exhibits thereto:

- 22 • PLAINTIFF RICHARD POHLY’S OPPOSITION TO DEFENDANT
- 23 INTUITIVE SURGICAL, INC.’S MOTION FOR SUMMARY JUDGMENT;
- 24 • DECLARATION OF PETER J. MULLENIX IN SUPPORT OF PLAINTIFF’S
- 25 OPPOSITION TO DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT,
- 26 AND EXHIBITS THERETO;
- 27 • DECLARATION OF ALAN LIPSCHULTZ, AND EXHIBIT THERETO; and
- 28 • DECLARATION OF BRENDA ULMER, AND EXHIBITS THERETO.

---

STIPULATION AND (PROPOSED) ORDER  
 REGARDING SCHEDULING

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: May 25, 2017.

FRIEDMAN | RUBIN

s/ Richard H. Friedman  
Richard Friedman, No. 221622  
s/ Peter J. Mullenix  
Peter J. Mullenix (admitted pro hac vice)

JOHN GRAHAM HILL

s/ John Graham Hill  
John Graham Hill (admitted pro hac vice)

*Attorneys for Plaintiff Richard Pohly*

DATED: May 25, 2017.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM

/s/ Allen J. Ruby  
Allen J. Ruby  
/s/ Emily reitmeier  
Emily Reitmeier

*Attorneys for Defendant Intuitive Surgical, Inc.*

1 ~~(PROPOSED)~~ ORDER

2  
3 It is ORDERED that Defendant ISI will be allowed seven (7) court days to file a motion  
4 to seal any portion of the following documents, or the exhibits thereto:

- 5 • PLAINTIFF RICHARD POHLY'S OPPOSITION TO DEFENDANT  
6 INTUITIVE SURGICAL, INC.'S MOTION FOR SUMMARY JUDGMENT;
- 7 • DECLARATION OF PETER J. MULLENIX IN SUPPORT OF PLAINTIFF'S  
8 OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT,  
9 AND EXHIBITS THERETO;
- 10 • DECLARATION OF ALAN LIPSCHULTZ, AND EXHIBIT THERETO; and
- 11 • DECLARATION OF BRENDA ULMER, AND EXHIBIT THERETO

12  
13 IT IS SO ORDERED.

14  
15 DATED: 5/26/2017

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
  
\_\_\_\_\_  
MARIA-ELENA JAMES  
United States Magistrate Judge

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 25, 2017, I electronically filed the foregoing document with  
3 the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the  
4 following:

5 **Counsel for Defendant Intuitive Surgical, Inc.**

6  
7 Allen J. Ruby, SBN 47109  
8 Emily Reitmeier, SBN 305512  
9 SKADDEN ARPS SLATE MEAGHER & FLOM LLP  
10 525 University Avenue, Suite 1400  
11 Palo Alto CA 94301  
12 T: 650-470-4500  
F: 650-470-4570  
E: allen.ruby@skadden.com  
E: emily.reitmeier@skadden.com

13 Lisa M. Gilford  
14 SKADDEN ARPS SLATE MEAGHER & FLOM LLP  
15 300 South Grand Avenue  
16 Los Angeles CA 90071  
17 T: (213) 687-5000  
F: (213) 687-5600  
E: lisa.gilford@skadden.com

18 Taylor F. Brinkman  
19 LOCKE LORD  
20 2200 Ross Avenue, Suite 2800  
21 Dallas TX 75201  
T: (214) 740-8442  
E: tbrinkman@lockelord.com

22 Gregory D. Hull, SBN 57367  
23 ELLENBERG & HULL  
24 4 North 2<sup>nd</sup> Street, Suite 1240  
25 San Jose CA 95113  
T: (408) 998-8500  
E: greg@ellenberghull.com

26  
27 /s/ Dana C. Watkins  
28 Dana C. Watkins