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7 Attorneys for Plaintiff  
 8 INTUITIVE SURGICAL, INC.

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 INTUITIVE SURGICAL, INC.,

13 Plaintiff,

14 v.

15 ILLINOIS UNION INSURANCE  
 16 COMPANY, an Illinois corporation;  
 NAVIGATORS SPECIALTY INSURANCE  
 17 CO., a New York corporation

18 Defendants.

CASE NO.: 5:15-cv-4834-JST

**JOINT STIPULATION TO EXTEND  
 TIME TO FILE OPPOSITION AND  
 REPLY BRIEFS AND CONTINUE  
 HEARING (DEFENDANT  
 NAVIGATORS SPECIALTY  
 INSURANCE CO.'S MOTION TO  
 DISMISS COMPLAINT PURSUANT TO  
 FRCP 12(b)(6)); and**

**[PROPOSED] ORDER**

Hearing Date: February 11, 2016  
 Time: 2 p.m.  
 Courtroom: 9, 19<sup>th</sup> Floor  
 Judge: Hon. Jon S. Tigar

1 Plaintiff Intuitive Surgical Inc. (“Intuitive”) and Defendant Navigators Specialty Insurance  
2 Company (“Navigators”) jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to  
3 extend the time to file any opposition and reply brief regarding Navigators’ Motion to Dismiss  
4 Complaint Pursuant to FRCP 12(b)(6) (Dkt. 13) (the “Motion to Dismiss”).

5 WHEREAS, on December 18, 2015, Navigators filed its Motion to Dismiss and set the  
6 motion for hearing on February 4, 2016;

7 WHEREAS, the Court continued the hearing for Navigators’ Motion to Dismiss from  
8 February 4, 2016 to February 11, 2016;

9 WHEREAS, as currently scheduled, Intuitive’s opposition to Navigators’ Motion to  
10 Dismiss would be due January 4, 2016 and Navigators’ reply would be due January 11, 2016;

11 WHEREAS, given the pending holidays, Intuitive requested a one week extension to  
12 respond to Navigators’ Motion to Dismiss, to which Navigators agreed;

13 Now therefore, the parties, through the undersigned counsel, hereby stipulate as follows:

14 • that the deadline for filing any opposition to Navigators’ Motion to Dismiss be  
15 extended to January 11, 2016;

16 • that the deadline for filing any reply in support of Navigators’ Motion to Dismiss be  
17 extended to January 25, 2016;

18 DATED: December 21, 2015

19 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

20  
21 By: \_\_\_\_\_  
22 /s/ James P. Schaefer  
Attorneys for Plaintiff  
INTUITIVE SURGICAL, INC.

23 HINSHAW & CULBERTSON LLP

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25 By: \_\_\_\_\_  
26 /s/ Peter Felsenfeld  
Attorneys for Defendant  
NAVIGATORS SPECIALTY INSURANCE COMPANY

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Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ James P. Schaefer

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~~[PROPOSED]~~ ORDER

PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS

ORDERED THAT:

- 1. the deadline for filing any opposition to Navigators’ Motion to Dismiss Complaint Pursuant to FRCP 12(b)(6) (“Motion to Dismiss”) be extended to January 11, 2016;
- 2. the deadline for filing any reply in support of Navigators’ Motion to Dismiss be extended to January 25, 2016.

IT IS SO ORDERED.

DATED: December 22, 2015

