

1 [COUNSEL LISTED ON SIGNATURE PAGE]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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NEVRO CORP.,

Case No. 3:16-cv-06830-VC

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Plaintiff,

**STIPULATION AND
~~PROPOSED~~ ORDER
REGARDING SUMMARY
JUDGMENT HEARING AND
BRIEFING SCHEDULE**

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v.

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BOSTON SCIENTIFIC CORPORATION and
BOSTON SCIENTIFIC NEUROMODULATION
CORPORATION,

AS MODIFIED

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Defendants.

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1 WHEREAS, at the September 1, 2020 Further Case Management Conference, the Court
2 set a Motion Hearing date of December 10, 2020 at 10:00 AM, and directed the parties to file a
3 stipulated briefing schedule;

4 WHEREAS, the parties have conferred regarding a briefing schedule and believe that a
5 later Motion Hearing and longer briefing schedule would facilitate the parties' ability to carefully
6 address the issues in dispute and thereby benefit the parties and the Court;

7 WHEREAS, the parties have conferred regarding briefing page length and believe a
8 reduction to the Court's default page limitations for patent case cross-motions for summary
9 judgment would be appropriate;

10 THEREFORE, the parties request that the Court reschedule the Motion Hearing to
11 January 14, 2021, or a date thereafter that is convenient for the Court, and issue the below order
12 on briefing deadlines and page limits:

Event	Deadline
Nevro to file: <ul style="list-style-type: none">• Summary judgment opening brief• Any motion to strike	October 20, 2020
BSC to file: <ul style="list-style-type: none">• Summary judgment opening/ opposition brief• Any motion to strike• Opposition to any motion to strike	November 13, 2020
Nevro to file: <ul style="list-style-type: none">• Summary judgment opposition/reply brief• Opposition to any motion to strike• Reply in support of any motion to strike	December 7, 2020
BSC to file: <ul style="list-style-type: none">• Summary judgment reply brief	December 22, 2020

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<ul style="list-style-type: none"> • Reply in support of any motion to strike 	
Summary Judgment Motion Hearing	January 14, 2021 at 10:00 a.m. or thereafter, subject to the Court's schedule

The parties' summary judgment briefing shall follow the page limitations set forth in Paragraph 53 of the Court's Standing Order for Civil Cases, reduced by 20%, for sequential briefs of 32, 40, 24, and 16 pages, respectively. The parties' motions to strike shall follow the page limitations set forth in Paragraph 33 of the Court's Standing Order for Civil Case.

Dated: October 2, 2020

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Dated: October 2, 2020

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