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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MAQUET CARDIOVASCULAR LLC,
Plaintiff,

No. C 16-07213 WHA

v.

SAPHENA MEDICAL, INC., and
ALBERT CHIN,
Defendants.

**ORDER (1) GRANTING
ADMINISTRATIVE MOTION
FOR RELIEF FROM FILING
DEADLINE AND (2) SETTING
BRIEFING SCHEDULE**

A prior order dated May 26 granted plaintiff Maquet Cardiovascular LLC’s motion to dismiss and held in abeyance its motion to stay defendants’ counterclaim (Dkt. No. 82). On June 8, defendant Saphena Medical, Inc., moved for leave to file an amended counterclaim in compliance with the May 26 order, except that it narrowly missed the filing deadline at noon (Dkt. No. 86). Concurrently with its motion, Saphena filed an administrative motion for relief from that deadline and explained that technical problems with the Electronic Case Filing system caused its delay (Dkt. No. 87). The time to respond to Saphena’s administrative motion has passed and Maquet has not opposed. The administrative motion is **GRANTED**.

Maquet shall respond to Saphena’s motion for leave to file an amended counterclaim by **JUNE 22 AT NOON**. The response should (1) set forth any argument that the proposed amended counterclaim would be subject to dismissal, and (2) advise the Court as to whether Maquet wishes to revive its motion to stay as if it were directed against the proposed amended

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counterclaim (*see* Dkt. No. 82 at 14). Saphena may reply by **JUNE 29 AT NOON**. A hearing on Saphena’s motion is hereby set for **JULY 13 AT 8:00 A.M.**

IT IS SO ORDERED.

Dated: June 14, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE