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**United States District Court**  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VERTOS MEDICAL, INC.,  
Plaintiff,  
v.  
GLOBUS MEDICAL, INC.,  
Defendant.

No. C 09-1411 PJH

**ORDER**

Before the court is the motion of defendant Globus Medical, Inc. ("Globus") for an order enlarging time for the hearing on plaintiff Vertos Medical, Inc.'s ("Vertos") motion for preliminary injunction so that Vertos may conduct discovery in order to oppose the motion. The court finds that Globus has established an entitlement to discovery, particularly in view of the requirements imposed under the standard governing motions for preliminary injunctions. See Winter v. Natural Resources Defense Council, Inc., 129 S.Ct. 365, 374 (2008). Accordingly, the motion is GRANTED.

However, because Globus neither attached copies of the discovery requests it wishes to propound nor indicated the probable number of such requests, the court places the following limitations on the discovery to be conducted prior to the motion for preliminary injunction. The proposed deposition of Vertos' President and CEO James Corbett, and the proposed deposition of Vertos' Rule 30(b)(6) witness shall each last no more than seven hours. Globus shall be limited to propounding no more than 15 individual document

1 requests and 15 separate interrogatories. All discovery shall be completed by September  
2 15, 2009.

3 Globus shall file its opposition to Vertos' motion for preliminary injunction no later  
4 than September 30, 2009. Vertos shall file its reply no later than October 7, 2009. The  
5 hearing on the motion, previously set for August 5, 2009, is CONTINUED to Wednesday,  
6 October 28, 2009. No further continuances will be granted.

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**IT IS SO ORDERED.**

Dated: July 14, 2009



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PHYLLIS J. HAMILTON  
United States District Judge