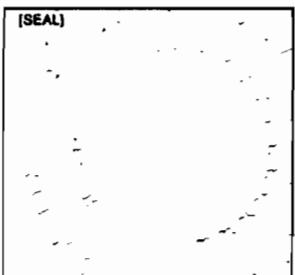


AT-135

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Simon Frankel, CA Bar # 171552 COVINGTON & BURLING LLP One Front Street, 35th Floor, San Francisco, CA 94111 TELEPHONE NO.: 415-591-7052 E-MAIL ADDRESS (Optional): _____ FAX NO. (Optional): _____ ATTORNEY FOR (Name): Ethicon, Inc. and DePuy Mitek, Inc.	FOR COURT USE ONLY <h1>FILED</h1> NOV 20 2009 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
SUPERIOR COURT OF CALIFORNIA, COUNTY OF U.S. District Court, ND Cal. STREET ADDRESS: 450 Golden Gate Ave. MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	CASE NUMBER: 09-cv-03216 (SBA)
PLAINTIFF: Respondents Ethicon, Inc., et. al. DEFENDANT: Petitioner ArthroCare Corporation	WRIT OF ATTACHMENT <input checked="" type="checkbox"/> AFTER HEARING <input type="checkbox"/> EX PARTE

1. TO THE SHERIFF OR ANY MARSHAL OR CONSTABLE OF THE COUNTY OF: Santa Clara
2. TO ANY REGISTERED PROCESS SERVER: You are only authorized to serve this writ in accord with CCP 488.080.
3. This writ is to attach property of defendant (name and last known address): ArthroCare Corporation
 680 Vaquernos Ave.
 Sunnyvale, CA 94085
 and the attachment is to secure: \$ 16,432,574.54
4. Name and address of plaintiff: Respondent Ethicon, Inc.
 Route 22
 West Somerville, NJ 08876
5. YOU ARE DIRECTED TO ATTACH the following property or so much thereof as is clearly sufficient to satisfy the amount to be secured by the attachment (describe property and state its location; itemize by letter):
 All corporate property for which a method of levy is provided by Article 2 (commencing with Section 488.300) of Chapter 8 of the California Rules of Civil Procedure.

- This information is on an attached sheet.
6. An interest in the real property described in item 5 stands upon the records of the county, in the name of the following person other than the defendant:
 - a. Name:
 - b. Mailing address, if known, as shown by the records of the office of the county tax assessor (specify):
 7. The real property on which the
 - crops described in item 5 __ are growing
 - timber described in item 5 __ to be cut is standing stands upon the records of the county in the name of
 - a. Name:
 - b. Address:



Date: Nov. 20, 2009 Clerk, by Rose Mahck, Deputy
 Rose MAHCK

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Simon Frankel, CA Bar # 171552 COVINGTON & BURLING LLP One Front Street, 35th Floor, San Francisco, CA 94111 TELEPHONE NO: 415-591-7052 FAX NO: 415-591-6091 ATTORNEY FOR (Name): Ethicon, Inc. and DePuy Mitek, Inc.	FOR COURT USE ONLY <h1 style="text-align: center;">FILED</h1> NOV 20 2009 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
NAME OF COURT: U.S. District Court for the Northern District of California STREET ADDRESS: 450 Golden Gate Ave. MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
PLAINTIFF: Respondents Ethicon, Inc., et. al. DEFENDANT: Pctitioner ArthroCare Corporation	
<input checked="" type="checkbox"/> RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT AFTER HEARING <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT AFTER HEARING	CASE NUMBER: 09-cv-03216 (SBA)

1. a. The application of plaintiff (name): Ethicon, Inc., DePuy Mitek, Inc., Gyrus Medical Ltd. and Gyrus Group PLC for a right to attach order and order for issuance of writ of attachment an order for issuance of additional writ of attachment against the property of defendant (name): ArthroCare Corporation came on for hearing as follows:
 (1) Judge (name): Bernard Zimmerman
 (2) Hearing date: November 18, 2009 Time: 10:00 am Dept.: Div.: Rm.:
- b. The following persons were present at the hearing:
 (1) Plaintiff (name): (3) Plaintiff's attorney (name):
 (2) Defendant (name): (4) Defendant's attorney (name):

FINDINGS

2. THE COURT FINDS

- a. Defendant (specify name): Petitioner ArthroCare Corp. is a natural person partnership unincorporated association corporation other (specify):
- b. The claim upon which the application is based is one upon which an attachment may be issued.
- c. Plaintiff has established the probable validity of the claim upon which the attachment is based.
- d. The attachment is not sought for a purpose other than the recovery on the claim upon which the attachment is based.
- e. The amount to be secured by the attachment is greater than zero.
- f. Defendant failed to prove that all the property described in plaintiff's application is exempt from attachment.
- g. The following property of defendant, described in plaintiff's application
 (1) is exempt from attachment (specify):
 (2) is not exempt from attachment (specify):
- h. The following property, not described in plaintiff's application, claimed by defendant to be exempt
 (1) is exempt from attachment (specify):
 (2) is not exempt from attachment (specify):
- i. An undertaking in the amount of: \$ 100,000 is required before a writ shall issue, and plaintiff has has not filed an undertaking in that amount.
- j. A Right to Attach Order was issued on (date): _____ pursuant to Code of Civil Procedure section 484.090 (on hearing) Code of Civil Procedure section 485.220 (ex parte)
- k. Other (specify):

(Continued on reverse)

SHORT TITLE: Arthrocare, Inc. v. Ethicon, Inc., et. al.	CASE NUMBER: 09-cv-03216 (SBA)
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ORDER

3. THE COURT ORDERS

- a. Plaintiff has a right to attach property of defendant (name): Petitioner ArthroCare Corporation
In the amount of: \$ 16,432,574.54
- b. The property described in items 2g(1) and 2h(1) of the findings is exempt and shall not be attached.
- c. The clerk shall issue a writ of attachment an additional writ of attachment in the amount stated in item 3a
 forthwith upon the filing of an undertaking in the amount of: \$ 100,000
 - (1) for any property of a defendant who is not a natural person for which a method of levy is provided.
 - (2) for the property of a defendant who is a natural person that is subject to attachment under Code of Civil Procedure section 487.010, described as follows (specify):

(3) for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of sale of such property, described as follows (specify):

(4) for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number is (specify):

- d. Defendant shall transfer to the levying officer possession of
 - (1) any documentary evidence in defendant's possession of title to any property described in item 3c;
 - (2) any documentary evidence in defendant's possession of debt owed to defendant described in item 3c;
 - (3) the following property in defendant's possession (specify):

NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.

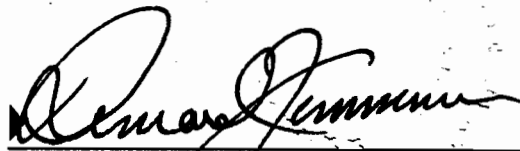
e. Other (specify):

f. Total number of boxes checked in item 3: 3

Date: 20 Nov 09

CHAMBERS OF MAGISTRATE JUDGE
BERNARD ZIMMERMAN

(TYPE OR PRINT NAME)



(SIGNATURE OF JUDGE OR COMMISSIONER)