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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

CALIFORNIA INSTITUTE OF COMPUTER  
ASSISTED SURGERY, INC.,  
  
Plaintiff,  
  
v.  
  
MED-SURGICAL SERVICES, INC.,  
  
Defendant.

No. 10-02042 CW  
  
ORDER DENYING  
DEFENDANT'S  
MOTION FOR RELIEF  
FROM AUTOMATIC  
REFERRAL TO ADR  
(Docket No. 13)

On June 17, 2010, Defendant filed a motion for relief from automatic referral to alternative dispute resolution (ADR) in the instant patent infringement action. On July 22, 2010, Plaintiff filed an opposition. On July 29, 2010, Defendant filed a reply.

Defendant merely alleges that the instant action is frivolous, and fails to show good cause for relief from automatic referral to ADR. Defendant's conclusory allegation does not sufficiently indicate that the ADR process is unlikely to deliver benefits to the parties. The Court therefore DENIES Defendant's motion.

IT IS SO ORDERED.

Dated: August 3, 2010

  
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CLAUDIA WILKEN  
United States District Judge