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15 Attorneys for Defendant
 BOSTON SCIENTIFIC CORPORATION and
 16 GUIDANT SALES CORPORATION

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

20 BLAIR KILAND and ST. JUDE
 21 MEDICAL S.C., INC.,

22 Plaintiff,

23 vs.

24 BOSTON SCIENTIFIC CORPORATION
 and GUIDANT SALES CORPORATION
 25 and DOES 1 through 50 INCLUSIVE,

26 Defendants.

Case No. CV 10-4105 SBA

**JOINT STIPULATION AND ORDER
 CONTINUING INITIAL CASE
 MANAGEMENT CONFERENCE, AND
 RULE 26(f) REPORT AND INITIAL
 DISCLOSURE DEADLINES**

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Defendants Boston Scientific Corporation and Guidant Sales Corporation (collectively “Defendants” or “Boston Scientific”) and Plaintiffs Blair Kiland and St. Jude Medical S.C., Inc. (“Plaintiffs”), by and through their respective counsel, stipulate to continue the following deadlines as follows:

WHEREAS, this Court set this matter for an initial Case Management Conference on January 13, 2011, at 2:45 p.m. by telephone;

WHEREAS, on December 21, 2010, Plaintiffs and Defendants participated in an initial Rule 26(f) conference;

WHEREAS, on December 21, 2010, Plaintiffs and Defendants agreed, due to the supplemental briefing schedule on pending motions relating to venue, the unavailability of clients and corporate closures due to the upcoming holidays, and the lack of pleadings from Defendants due to the pending venue motions, that the initial Case Management Conference should be continued fourteen (14) days from January 13, 2011 to January 27, 2011, or the next available date;

WHEREAS, on December 21, 2010, Plaintiffs and Defendants further agreed that due to the supplemental briefing schedule on pending motions relating to venue, the unavailability of clients and corporate closures due to the upcoming holidays, and the lack of pleadings from Defendants due to the pending venue motions, that the Joint Case Management Conference Statement should be continued fourteen (14) days from January 3, 2011 to January 17, 2011 , or ten (10) days before the date of the Case Management Conference;

WHEREAS, on December 21, 2010, Plaintiffs and Defendants further agreed to continue the deadline for exchanging initial disclosures by fourteen (14) days from January 4, 2011 to January 18, 2010;

WHEREAS, no prior extensions of time have been requested or granted;

WHEREAS, Boston Scientific agreed to participate in the Rule 26(f) conference and agrees to continue the deadlines discussed herein, as required pursuant to the Federal Rules of Civil Procedure and the Court’s Case Management Order, without prejudice to its position that this case should be stayed or dismissed.

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THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiffs and Boston Scientific that the initial Case Management Conference be continued until January 27, 2011, at 2:45 p.m., via telephone, or the Court's next available date; the deadline for the filing of the Joint Rule 26(f) Report will be continued until January 17, 2011 or ten (10) days before the date of the Case Management Conference; and the deadline for the exchange of initial disclosure will be continued until January 18, 2011.

Dated: December 22, 2010

FELDMAN GALE, P.A.

By /s/ Todd M. Malynn
Todd M. Malynn
James A. Gale
Attorneys for Plaintiffs
BLAIR KILAND and ST. JUDE
MEDICAL S.C., INC.

Dated: December 22, 2010

THE MICLEAN LAW GROUP

By /s/ David J. Miclean
David J. Miclean
Attorneys for Plaintiffs
BLAIR KILAND and ST. JUDE
MEDICAL S.C., INC.

Dated: December 22, 2010

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Ann Marie Reding
Cecily A. Waterman
Ann Marie Reding
Attorneys for Defendant
BOSTON SCIENTIFIC CORPORATION
and GUIDANT SALES CORPORATION

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PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the case management conference scheduled for January 13, 2011 is CONTINUED to April 27, 2011 at 3:15 p.m. The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

IT IS SO ORDERED.

Dated: 12/29/10


United States District Judge