

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

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

Plaintiff,

v.

BOSTON SCIENTIFIC CORPORATION  
and GUIDANT SALES CORPORATION  
and DOES 1 through 50 INCLUSIVE

Defendants.

CASE NO. CV 10-4105 SBS

STIPULATION AND ~~PROPOSED~~  
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached  
the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- Non-binding Arbitration (ADR L.R. 4)
- Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

*(Note: Parties who believe that any early settlement conference with a Magistrate Judge  
is appreciably more likely to meet their needs than any other form of ADR, must  
participate in an ADR phone conference and may not file this form. They must instead file  
a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-  
5)*

Private Process: X

Private ADR (please identify process and provider) Private mediation.  
Mediator to be selected by parties.

The parties agree to hold the ADR session by:

The presumptive deadline *(The deadline is 90 days from the date of the order  
referring the case to an ADR process unless otherwise ordered.)*

Other requested deadline \_\_\_\_\_

1 TODD M. MALYNN (SBN 181595)  
Email: [tmalynn@feldmangale.com](mailto:tmalynn@feldmangale.com)  
2 JAMES A. GALE (FL Bar. No. 371726)  
Email: [JGale@FeldmanGale.com](mailto:JGale@FeldmanGale.com)  
3 GREGG H. METZGER (FL Bar No. 836850)  
**FELDMAN GALE, P.A.**  
4 880 West First Street, Suite 315  
Los Angeles, California 90012  
5 Telephone No. (213) 625-5992  
Facsimile No. (213) 625-5993

6  
7 Attorneys for Plaintiff St. Jude  
Medical S.C., Inc.

8 DAVID J. MICLEAN (SBN 115098)  
Email: [dmiclean@micleanlaw.com](mailto:dmiclean@micleanlaw.com)  
9 **THE MICLEAN LAW GROUP**  
303 Twin Dolphin Dr., Suite 600  
10 Redwood Shores, California 94065  
Telephone No. (650) 684-1181  
11 Facsimile No. (650) 684-1182

12 Attorneys for Plaintiff Blair Kiland

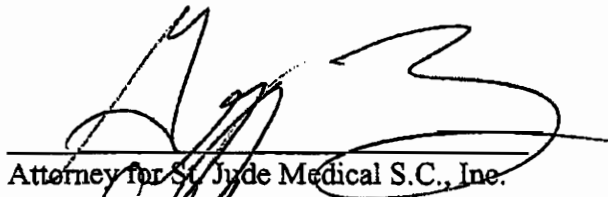
13 CECILY A. WATERMAN (SBN 063502)  
Email: [cwaterman@morganlewis.com](mailto:cwaterman@morganlewis.com)  
14 ANN MARIE REDING (SBN 226864)  
[areding@morganlewis.com](mailto:areding@morganlewis.com)  
15 **MORGAN, LEWIS & BOCKIUS LLP**  
One Market, Spear Street Tower  
16 San Francisco, CA 94105-1126  
Telephone No. (415) 442-1000  
17 Facsimile No. (415) 442-1001

18 Attorneys for Defendants Boston Scientific  
Corporation and Guidant Sales Corporation

19  
20 ROBERT L. SCHNELL, JR. (MN. Bar No. 97329)  
Email: [rschnell@faegre.com](mailto:rschnell@faegre.com)  
MARTIN S. CHESTER (MN Bar No. 031514)  
21 Email: [mchester@faegre.com](mailto:mchester@faegre.com)  
**FAEGRE & BENSON LLP**  
22 2200 Wells Fargo Center  
90 So. Seventh Street  
23 Minneapolis, MN 55402  
Telephone: (612) 766-7000  
24 Facsimile: (612) 766-1600

25 Attorneys for Defendants Boston Scientific  
Corporation and Guidant Sales Corporation  
26  
27  
28

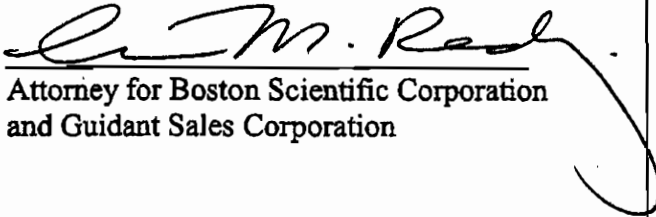
1 Dated: December 22, 2010

  
Attorney for St. Jude Medical S.C., Inc.

2  
3 Dated: December 22, 2010

  
Attorney for Blair Kiland

4  
5 Dated: December 22, 2010

  
Attorney for Boston Scientific Corporation  
and Guidant Sales Corporation

6  
7 ~~PROPOSED~~ ORDER]

8 Pursuant to the Stipulation above, the captioned matter is hereby referred to:  
9 Non-binding Arbitration  
10 Early Neutral Evaluation (ENE)  
11 Mediation  
12 Private ADR  Private Mediation. Mediator to be selected by parties.

13  
14 Deadline for ADR session  
15 90 days from the date of this order   
16 Other

17 IT IS SO ORDERED.

18 Dated: 1/3/11

  
UNITED STATES MAGISTRATE JUDGE