

1 MELINDA M. MORTON, Bar No. 209373
mmorton@be-law.com
 2 JAIDEEP VENKATESAN, Bar No. 211386
jvenkatesan@be-law.com
 3 BERGESON, LLP
 303 Almaden Boulevard, Suite 500
 4 San Jose, CA 95110-2712
 Telephone: (408) 291-6200
 5 Facsimile: (408) 297-6000

6 Attorneys for Defendants
 MED-SURGICAL SERVICES, INC.,
 7 KRISHNA SUDHAKARAN, and MARK KIENE

8 ALI AALAEI, Bar No. 254713
ali@arilaw.com
 9 Ari Law Firm PC
 22 Battery St., Suite #1000
 10 San Francisco, CA 94111
 Tel: (415) 357-3600
 11 Fax: (415) 357-3602

12 Attorneys for Plaintiff,
 CALIFORNIA INSTITUTE OF COMPUTER
 13 ASSISTED SURGERY, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 CALIFORNIA INSTITUTE OF COMPUTER
 18 ASSISTED SURGERY, INC., a California
 corporation,
 19
 Plaintiff,
 20
 vs.
 21 MED-SURGICAL SERVICES, INC., a
 22 California corporation, KRISHNA
 SUDHAKARAN, an individual, MARK KIENE,
 23 an individual,
 24 Defendants.

Case No. C10-05067 CW

**STIPULATION RE: AMENDMENT TO
 CASE MANAGEMENT ORDER**

JUDGE: Claudia Wilken
 COURTROOM: 2, 4th Floor

Complaint filed: November 9, 2010
 Trial Date: March 19, 2012

1 Plaintiff California Institute of Computer Assisted Surgery, Inc. (“CICAS”), together with
2 Defendants Med-Surgical Services, Inc, Krishna Sudhakaran, and Mark Kiene (“Defendants”), by
3 and through their undersigned counsel, hereby stipulate as follows:

4 1. CICAS shall serve a supplemental disclosure of asserted claims and
5 preliminary infringement contentions by June 10, 2011.

6 2. The Exchange of Preliminary Claim Constrictions and Preliminary
7 Identifications of Extrinsic Evidence [Patent L.R. 4-2.a-b] shall occur by June 27, 2011.
8 The parties shall meet and confer pursuant to Patent L.R. 4-1 to identify 10 terms from
9 CICAS’s list of claim terms served pursuant to patent L.R. 4-1 on May 6, 2011.

10 3. The parties shall submit a Joint Claim Construction and Prehearing Chart
11 [Patent L.R. 4-3] July 15, 2011.

12 4. Completion of Claim Construction Discovery [Patent L.R. 4-4] shall be
13 August 26, 2011.

14 5. CICAS’s service of supplemental disclosure of asserted claims and
15 preliminary infringement contentions pursuant to paragraph 1 shall be without prejudice to
16 its position that Defendants have waived the right to serve Invalidity Contentions pursuant
17 to Patent L.R. 3-3. Med-Surgical’s agreement to this stipulation shall be without prejudice
18 to its position that CICAS failed to comply with Patent L.R. 3-1.

19 6. This Stipulation does not affect the claim construction briefing schedule set
20 by the Court in the Case Management Order.

21
22 SO STIPULATED AND AGREED

23 Dated: May 20, 2011

BERGESON, LLP

24
25 By: _____ /s/

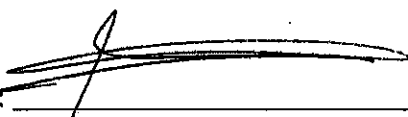
26 Jaideep Venkatesan

27 Attorneys for Defendants
28 MED-SURGICAL SERVICES, INC.,
KRISHNA SUDHAKARAN, and MARK KIENE

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

Dated: May 19, 2011

ARI LAW FIRM PC


By: 

Ali Aalaei

Attorneys for Plaintiff
CALIFORNIA INSTITUTE OF COMPUTER
ASSISTED SURGERY, INC.

PURUSANT TO STIPULATION, IT IS SO ORDERED.

DATED: 5/23/2011


The Honorable Claudia Wilken
United States District Court Judge
Northern District of California