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17 Attorneys for Plaintiffs
 18 SYNTHES USA, LLC (f/k/a SYNTHES (U.S.A.);
 19 SYNTHES USA SALES, LLC; and SYNTHES, INC.

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN JOSE DIVISION

23 SYNTHES USA, LLC (f/k/a SYNTHES
 24 (U.S.A.)); SYNTHES USA SALES, LLC; and
 25 SYNTHES, INC.,

26 Plaintiffs,

27 v.

28 SPINAL KINETICS, INC.,

Defendant.

CASE NO. 5:09-CV-01201 RMW

**JOINT STIPULATION AND
 ORDER CONTINUING
 THE HEARING DATE FOR
 DEFENDANT SPINAL KINETICS,
 INC.'S MOTION TO DISMISS
 PLAINTIFFS SYNTHES, INC. AND
 SYNTHES USA SALES, LLC FOR
 LACK OF STANDING**

Original Date: May 20, 2011

Proposed Date: July 1, 2011

Time: 9:00 a.m.

Courtroom: 6

Judge: Hon. Ronald M. Whyte

AND RELATED COUNTERCLAIMS.

1 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned
2 counsel of record, that the hearing on Defendant Spinal Kinetics, Inc.'s Motion to Dismiss
3 Plaintiffs Synthes, Inc. and Synthes USA Sales, LLC for Lack of Standing, currently set for 9:00
4 a.m. on May 20, 2011, shall be continued until 9:00 a.m. on July 1, 2011. Plaintiffs' Opposition
5 shall be filed and served no later than June 3, 2011.

6 **IT IS SO ORDERED:**

7
8 Dated: May 6, 2011

By: Ronald M. Whyte
Hon. Ronald M. Whyte
United States District Court Judge

10
11 **AGREED TO AND SUBMITTED BY:**

12
13 Dated: April 21, 2011

DICKSTEIN SHAPIRO LLP

14
15 By: //S//
Allan W. Jansen

16 Attorneys for Defendant
17 SPINAL KINETICS, INC.

18
19 Dated: April 21, 2011

SIDLEY AUSTIN LLP

20
21 By: //S//
Jeffrey M. Olson

22 Attorneys for Plaintiffs
23 SYNTHES USA, LLC (f/k/a SYNTHES (U.S.A.);
24 SYNTHES USA SALES, LLC; and
25 SYNTHES, INC.