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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SYNTHES (USA),

Plaintiff,

v.

SPINAL KINETIC, INC.,

Defendants.

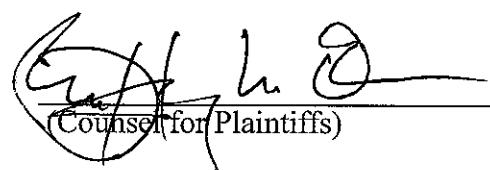
CASE NO.: C-09-01201-RMW

**STIPULATION AND ORDER  
RE: TRIAL EXHIBITS**

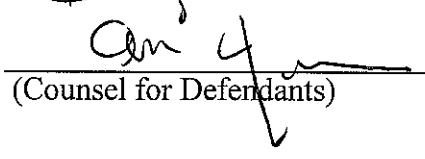
It is hereby stipulated that the trial exhibits in the above-entitled case may be returned to counsel, and all exhibits will be kept by counsel until or unless an appeal is filed.

Should an appeal be filed counsel are to deliver the exhibits to the United States Court of Appeals for the Federal Circuit upon request by the Clerk's Office of that court.

Dated: 12/13/11

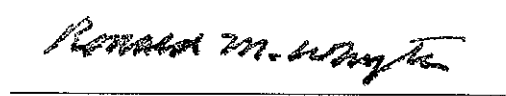
  
\_\_\_\_\_  
(Counsel for Plaintiffs)

Dated: 12/13/11

  
\_\_\_\_\_  
(Counsel for Defendants)

IT IS SO ORDERED.

Dated: 12/19/11

  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge