

1 [COUNSEL LISTED ON SIGNATURE PAGE]

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



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

SYNTHES USA, LLC (f/k/a SYNTHES)
(U.S.A.)),)
)
Plaintiff,)
)
v.)
)
SPINAL KINETICS, INC.,)
)
Defendant.)

Case No. C-09-01201-RMW (HRL)
**STIPULATION AND []
ORDER GRANTING A ONE WEEK
EXTENSION TO REPLY TO SPINAL
KINETICS' OPPOSITIONS TO
PLAINTIFF'S POST-TRIAL MOTIONS**
Hearing Date: July 13, 2012
Hearing Time: 9:00 a.m.
Judge: Hon. Ronald M. Whyte
Courtroom: 6

1 On May 21, 2012, Synthes filed three post-trial motions seeking relief pursuant to Fed. R.
2 Civ. P. 50(b) and 59. Dkts. 532-534. On June 4, 2012, Spinal Kinetics filed oppositions to all three
3 motions. Dkts. 536-538. Pursuant to L.R. 7-3(c), Synthes' reply briefs are presently due on June 11,
4 2012.

5 In view of the volume of the briefing and the number of issues to be addressed, Synthes
6 believes that additional time for preparing reply briefs would be helpful and is warranted, and
7 requests a one week extension of the deadline for filing its reply briefs, until **June 18, 2012**. Spinal
8 Kinetics does not oppose Synthes' request for a one week extension.

9 The hearing on Synthes' post-trial motions is presently scheduled for July 13, 2012 (25 days
10 after the proposed deadline for Synthes' reply briefs), and the parties agree that the requested
11 extension should not affect the hearing date.

12
13 Accordingly, IT IS HEREBY STIPULATED by and between the parties, through their
14 counsel, that with the Court's permission:

- 15 1. Synthes shall file its reply briefs in support of its post-trial motions by **June 18, 2012**.
- 16 2. The July 13, 2012 hearing shall remain on calendar.

17
18 Agreed to and submitted by:

SIDLEY AUSTIN LLP

19
20
21 Dated: June 6, 2012

By: /s/ Jeffrey M. Olson
Jeffrey M. Olson
Attorneys for Plaintiff
SYNTHES USA, LLC (f/k/a SYNTHES (U.S.A.))

DICKSTEIN SHAPIRO LLP

22
23
24
25
26 Dated: June 6, 2012

By: /s/ Ehab M. Samuel
Ehab M. Samuel
Attorneys for Defendant
SPINAL KINETICS, INC.

1 SIDLEY AUSTIN LLP
JEFFREY M. OLSON (SBN 104074) *jolson@sidley.com*
2 PAUL H. MEIER (SBN 115999) *pmeier@sidley.com*
SAMUEL N. TIU (SBN 216291) *stiu@sidley.com*
3 MATTHEW S. JORGENSEN (SBN 229131) *mjorgenson@sidley.com*
555 W. Fifth Street, Suite 4000
4 Los Angeles, California 90013
(213) 896-6000 phone
5 (213) 896-6600 fax

6 Attorneys for Plaintiff
SYNTHES USA, LLC (f/k/a SYNTHES (U.S.A.))
7

8 James W. Geriak (State Bar No. 32871) *geriakj@dicksteinshapiro.com*
Allan W. Jansen (State Bar No. 81992) *jansena@dicksteinshapiro.com*
9 Charles A. Kertell (State Bar No. 181214) *kertellc@dicksteinshapiro.com*
Ehab M. Samuel (State Bar No. 228296) *samuele@dicksteinshapiro.com*
10 Mark Stirrat (State Bar No. 229448) *stirratm@dicksteinshapiro.com*
DICKSTEIN SHAPIRO LLP
2030 Main Street, Suite 1300
11 Irvine, CA 92614-7200
12 Telephone: (310) 772-8300
Facsimile: (310) 772-8317

13 Robert W. Dickerson (State Bar No. 89367) *dickersonr@dicksteinshapiro.com*
14 DICKSTEIN SHAPIRO LLP
2049 Century Park East, Suite 700
15 Los Angeles, CA 90067
Telephone: (310) 772-8300
16 Facsimile: (310) 772-8317

17 Attorneys for Defendant
SPINAL KINETICS, INC.
18
19
20
21

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23
24 Dated: _____, 2012



Honorable Ronald M. Whyte
United States District Judge