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8 Attorneys for Defendant
 SPINAL KINETICS, INC.
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

14 SYNTHES USA, LLC (f/k/a SYNTHES
 (U.S.A.)); SYNTHES USA SALES, LLC;
 15 and SYNTHES, INC.,

16 Plaintiffs,

17 v.

18 SPINAL KINETICS, INC.,

19 Defendant.

Case No. 5:09-CV-01201 RMW

**REQUEST TO PERMIT AND
 ===== | ORDER PERMITTING
 EQUIPMENT TO BE BROUGHT IN
 FOR THE MARCH 17, 2010
 TUTORIAL AND HEARING**

**HON. RONALD M. WHYTE
 Ctrm: 6, 4th Floor
 Date: March 17, 2010
 Time: 9 a.m.**

21 AND RELATED COUNTERCLAIMS.
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28 OHS West:260858178.1

=====] ORDER ALLOWING EQUIPMENT FOR
 03/17/10 TUTORIAL AND HEARING
 (CASE NO. 5:09-CV-01201 RMW)

1 Spinal Kinetics, Inc. ("Spinal Kinetics") respectfully requests permission from the Court
2 to bring in and set up the equipment described on the attached Schedule A. Spinal Kinetics shall
3 coordinate with the Court's staff to install the equipment on either March 16 or 17, 2010 so as to
4 minimize inconvenience to the Court. This equipment is to be used at the tutorial and claim
5 construction hearing scheduled for March 17, 2010 ("hearing") in this matter. This equipment
6 will be used solely for the purposes of the tutorial and hearing. Some of this equipment cannot go
7 through x-ray machines and will need to be searched by other means.

8 Respectfully submitted,

9 Dated: March 11, 2010

ORRICK, HERRINGTON & SUTCLIFFE LLP

11 /s/ Allan W. Jansen

12 James W. Geriak
13 Robert W. Dickerson
14 Allan W. Jansen
15 Kurt T. Mulville
16 Attorneys for Defendant
17 SPINAL KINETICS, INC.

18 The Court hereby **GRANTS** Spinal Kinetics' request to bring in the equipment listed on
19 the attached Schedule A for the March 17, 2010 tutorial and hearing. The equipment may be
20 brought in and set up in the courtroom on March 16, 2010, the day before the tutorial and hearing
21 or on March 17, 2010. Counsel for Spinal Kinetics is to coordinate, as needed, with the
22 courtroom deputy and/or the U.S. Marshall's office. Counsel for Spinal Kinetics is to bring a
23 copy of this filed order when entering the courthouse with the equipment.

24 **IT IS SO ORDERED.**

25 Dated: 3/12/10

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27 Honorable Ronald M. Whyte
28 United States District Judge

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SCHEDULE A

List of Equipment to be brought in on March 17, 2010

1. Three (3) laptop computer(s);
2. Computer projection equipment;
3. Power cord(s) and cable(s) for use with the laptops and/or projection equipment;
4. White board(s) and easel(s);
5. Physical models of spine(s) and related device(s);
6. ELMO projector and screen.