

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

\*\*E-Filed 1/14/2010\*\*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

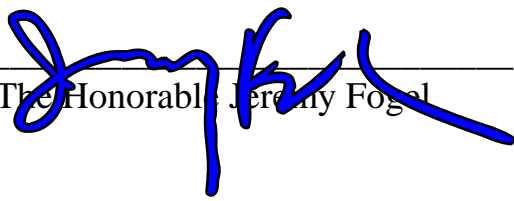
ART GONZALES, ET AL.,  
Plaintiffs,  
v.  
LUCILLE PACKARD CHILDREN'S  
HOSPITAL, ET AL.,  
Defendants.

Case No. 5:09-CV-05539-PVT  
Judge: Hon. Jeremy Fogel  
Courtroom: #3 (5<sup>th</sup> Floor)

**[PROPOSED] ORDER ON JOINT  
STIPULATION RE TYCO  
HEALTHCARE GROUP AND  
COVIDIEN'S TIME TO FILE A  
RESPONSIVE PLEADING TO  
PLAINTIFFS' COMPLAINT FOR  
DAMAGES**

Good cause appearing it is hereby ordered that Tyco Healthcare LP n/k/a Covidien and Covidien, Inc.'s responsive pleading in response to Plaintiffs' Complaint for Damages shall be due February 15, 2010.

Dated: January 14, 2010

By:   
The Honorable Jeremy Fogel

1 **PROOF OF SERVICE**

2 I am employed in the County of Orange, State of California. I am over the age of 18  
3 and not a party to the within action. My business address is 5 Park Plaza, Suite 1600, Irvine,  
4 California 92614.

5 On January 12, 2010 I served on the interested parties in said action the within:

6 **[PROPOSED] ORDER ON JOINT STIPULATION REGARDING TYCO HEALTHCARE,  
7 GROUP AND COVIDIEN'S TIME TO FILE A RESPONSIVE PLEADING TO PLAINTIFFS'  
8 COMPLAINT FOR DAMAGES**

9 by placing a true copy thereof in a sealed envelope(s) addressed as stated on the attached  
10 mailing list.

11  (MAIL) I am readily familiar with this firm's practice of collection and processing  
12 correspondence for mailing. Under that practice it would be deposited with the U.S. postal  
13 service on that same day in the ordinary course of business. I am aware that on motion of party  
14 served, service is presumed invalid if postal cancellation date or postage meter date is more  
15 than 1 day after date of deposit for mailing in affidavit.

16  (FAX) I caused such document(s) to be served via facsimile on the interested parties at their  
17 facsimile numbers listed above. The facsimile numbers used complied with California Rules of  
18 Court, Rule 2003, and no error was reported by the machine. Pursuant to California Rules of  
19 Court, Rule 2006(d), I caused the machine to print a report of the transmission, a copy of which  
20 is attached to the original of this declaration.

21  (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through  
22 Shook, Hardy & Bacon L.L.P.'s electronic mail system to the e-mail address(es) as stated on  
23 the attached service list.

24  (ELECTRONIC FILING) I provided the document(s) listed above electronically through the  
25 CM/ECF system pursuant to the instructions set forth in the Local Rules for the United States  
26 District Court for the Central District of California.

27  (Federal) I declare that I am employed in the office of a member of the bar of this court  
28 at whose direction the service was made.

Executed on January 12, 2010, at Irvine, California.

29 Kim Brunton  
30 (Type or print name)

31 /s/ Kim Brunton  
32 (Signature)

**SERVICE LIST**

1  
2  
3 Mark P. Robinson, Jr., Esq.  
4 Karen B. Menzies, Esq.  
5 Daniel Robinson, Esq.  
6 ROBINSON, CALCAGNIE & ROBINSON  
7 620 Newport Center Drive, Suite 700  
8 Newport Beach, CA 92660

9 Tel: (949) 720-1288  
10 Fax: (949) 720-1292  
11 Email:

12 **Attorneys for Plaintiff**

13 Laurie E. Sherwood, Esq.  
14 WALSWORTH, FRANKLIN, BEVINS &  
15 MCCALL, LLP  
16 601 Montgomery Street, 9<sup>th</sup> Floor  
17 San Francisco, CA 94111-2612

18 Tel: (415) 781-7072  
19 Fax: (415) 391-6258  
20 Email: [lsherwood@wfbm.com](mailto:lsherwood@wfbm.com)

21 **Attorneys for Defendant Medefil, Inc.**

Tammy A. Tsoumas, Esq.  
KIRKLAND AND ELLIS LLP  
777 South Figueroa Street , 37th Floor  
Los Angeles , CA 90071

Tel: 213-680-8400-8233  
Fax: 213-680-8500

Email: [tammy.tsoumas@kirkland.com](mailto:tammy.tsoumas@kirkland.com)

**Attorneys for Defendants Baxter  
Healthcare International, Baxter  
Healthcare Corporation, Scientific Protein  
Laboratories, Inc., Changzon SPL Co.,  
Ltd., and American Capital LTD.**