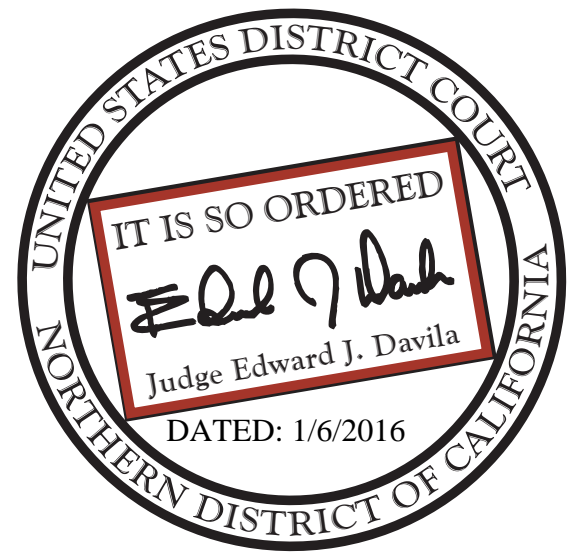


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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

18 RENE HEREDIA,
 19 Plaintiff,
 20 v.
 21 INTUITIVE SURGICAL, INC.,
 22 Defendant.

Case No. 15-CV-02662-EJD
**STIPULATION REGARDING BRIEFING
 SCHEDULE FOR MOTION TO DISMISS
 FIRST AMENDED COMPLAINT**
 Original Filing Date: June 12, 2015
 Trial Date: None Set

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STIPULATION REGARDING BRIEFING SCHEDULE ON MOTION TO DISMISS FIRST AMENDED COMPLAINT

1 Plaintiff Rene Heredia (“Dr. Heredia”) and Defendant Intuitive Surgical, Inc. (“Intuitive”)
2 (collectively, the “Parties”) recite the following facts:

3 WHEREAS, on June 12, 2015, Dr. Heredia filed his Complaint against Intuitive;

4 WHEREAS, on July 24, 2015, Intuitive moved to dismiss Dr. Heredia’s Complaint;

5 WHEREAS, on November 30, 2015, the Court granted Intuitive’s motion, dismissed Dr.
6 Heredia’s Complaint with leave to amend, and directed that Dr. Heredia file any amended
7 complaint on or before December 18, 2015;

8 WHEREAS, on December 18, 2015, Dr. Heredia filed his First Amended Complaint
9 against Intuitive;

10 WHEREAS, counsel for the Parties have met and conferred regarding the schedule for
11 Intuitive to respond to the First Amended Complaint.

12 In light of the foregoing, pursuant to Civil Local Rule 6-1(a), IT IS HEREBY
13 STIPULATED AND AGREED THAT:

14 1. Intuitive will file its motion to dismiss the First Amended Complaint on or before
15 January 14, 2016. In accordance with the Civil Local Rule 7-2(a) and the Court’s Standing Order
16 for Civil Cases, prior to filing its motion, Intuitive will reserve a date not less than 35 days after
17 January 14, 2016, on which Intuitive’s motion may be heard;

18 2. Dr. Heredia will file its opposition to Intuitive’s motion on or before January 28,
19 2016; and

20 3. Intuitive will file its reply to Dr. Heredia’s opposition on or before February 4,
21 2016.

22 **IT IS SO STIPULATED.**

23 Dated: January 4, 2016

SCHIFF HARDIN LLP

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25 By: /s/ Jean-Paul P. Cart

John S. Worden

Jean-Paul P. Cart

Attorneys for Plaintiff Rene Heredia

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28 STIPULATION REGARDING BRIEFING SCHEDULE ON MOTION TO DISMISS
FIRST AMENDED COMPLAINT

1 Dated: January 4, 2016

SINGER / BEA LLP

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By: /s/ Doug Tilley

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Adam Cashman

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Renée B. Bea

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Doug Tilley

6

*Attorneys for Defendant Intuitive Surgical,
Inc.*

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ATTESTATION

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I, Doug Tilley, am the ECF user whose ECF credentials will be used to file this

9

Stipulation. Under Civil Local Rule 5-1(i)(3), I hereby attest that Jean-Paul P. Cart, counsel for

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Plaintiff Rene Heredia, has concurred in the filing of this Stipulation.

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/s/ Doug Tilley

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Doug Tilley

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