

UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

Civil Action No. 10-CV-02139-RPM-BNB

LENOX MACLAREN SURGICAL CORPORATION,
a Colorado corporation,

Plaintiff,

v.

MEDTRONIC, INCORPORATED,
a Minnesota corporation;
MEDTRONIC SOFAMOR DANEK, INCORPORATED,
an Indiana corporation;
MEDTRONIC PS MEDICAL, INCORPORATED,
d/b/a MEDTRONIC NEUROLOGIC TECHNOLOGIES,
a California corporation; and
MEDTRONIC SOFAMOR DANEK CO., LTD.,
a Japanese corporation.

Defendants.

**~~PROPOSED~~ ORDER ENTERING JOINT STIPULATION REGARDING
COLLECTION OF CUSTODIAL ESI**

The Court, having reviewed the Joint Stipulation of Plaintiff Lenox MacLaren Surgical Corporation (“Lenox”) and Defendants Medtronic, Incorporated, Medtronic Sofamor Danek, Incorporated, Medtronic PS Medical, Incorporated, and Medtronic Sofamor Danek Co., Ltd. (collectively “Medtronic”), and being apprised of the premises, hereby enters the parties’ joint stipulation as an order of the Court.

It is therefore ORDERED that:

1. The parties will take reasonable steps to accommodate requests for missing documents or depositions from *Lenox-MacLaren Surgical Corporation v. Medtronic Sofamor Danek USA, Inc.*, Case No. 77-193-Y-00022-09-TNM,

before the American Arbitration Association, including providing copies of any missing load files.


2. Medtronic will collect ESI from the following custodians, using the search terms and other procedures agreed to by the parties and memorialized in the Court's scheduling order (ECF No. 79):

- a. Brandon Thomas
- b. John McLeod
- c. Jean-Luc Butel
- d. Kenneth Kopesky
- e. Michael DeMane
- f. David Arnold
- g. Darren Woodruff
- h. Ron Moore
- i. Toshiro Fukiharu
- j. Shigeki Kurano
- k. Minako Matsuda
- l. Tatsuya Onishi
- m. Hirotsugu Saito
- n. Yoko Sasakawa
- o. Mami Suzumura
- p. Takahito Wakabayashi
- q. Hitomi Watanabe
- r. Toshiharu Yamada

3. On or before May 15, 2012, Lenox may select up to seven (7) additional Medtronic custodians. Medtronic will collect ESI from the selected custodians using the search terms and other procedures set forth in the Court's scheduling order.

DATED this 28th day of February, 2012.

BY THE COURT:



Boyd N. Boland
United States Magistrate Judge