

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>BRIAN BAIRD,</b>	)	<b>CASE NO. 8:05CV289</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>ORDER SETTING HEARING ON</b>
	)	<b>PLAINTIFF'S MOTION FOR</b>
<b>MEDTRONIC, INC., a Minnesota</b>	)	<b>PRELIMINARY INJUNCTION</b>
<b>corporation,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the Motion for Preliminary Injunction and request for hearing (Filing Nos. 4 and 12) filed by Plaintiff Brian Baird. Defendant Medtronic, Inc., was served with the Summons and Complaint on June 17, 2005. (Filing No. 7). A summons has been issued for the Amended Complaint. The Amended Complaint mirrors the original Complaint except that it includes two attachments. Given the heavy criminal caseload in this District, the Court is able to accommodate the request for hearing on Friday, June 24, 2005, at 10 a.m., but may not be in a position to do so for several days, if not weeks, thereafter. I am aware that Medtronic's time to respond to Baird's Motion for Preliminary Injunction as not expired. Medtronic may file, but is not required to file, a written response to the motion on or before the hearing date. The briefing schedule will be addressed at the hearing. Accordingly,

IT IS ORDERED:

1. Plaintiff Brian Baird's Request for Hearing (Filing No. 12) is granted;
2. The hearing on the Plaintiff's Motion for Preliminary Injunction shall commence on Friday, June 24, 2005, at 10 a.m., in Courtroom No. 2, in the

Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, 681002-1322;

3. Counsel for Defendant shall notify my staff at (402) 661-7323 and opposing counsel if live testimony at the hearing is anticipated; and
4. Plaintiff's counsel is directed to forward a copy of this order by facsimile to attorneys for Medtronic, Inc., immediately upon receipt.

Dated this 21st day of June, 2005.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge