

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNIVERSITY OF PITTSBURGH

Case 2:08-cv-01307

Plaintiff,

v.

Judge Arthur J. Schwab

VARIAN MEDICAL SYSTEMS, INC.,

Defendant.

FILED ELECTRONICALLY

~~ORDER GRANTING~~ ^{DENYING} DEFENDANT'S MOTION TO SUPPLEMENT EXHIBIT LIST TO
ADD PATENTS ABOUT WHICH PLAINTIFF'S EXPERT TESTIFIED

WHEREAS, the Court having considered Defendant's Motion To Supplement Exhibit
^(doc. no. 653)
^{and Opposition thereto (doc. no. 654),}
List To Add Patents About Which Plaintiff's Expert Testified, It Is HEREBY ORDERED this

^{22nd} day of ^{February}, 2012 that the Motion is ^{DENIED} ~~GRANTED~~ and the
as ^{untimely. Counsel for defendant reasonably could} ~~as~~ and the
patents shall be designated D-878, DD-879, DD-880, and DD-881, respectively.
^{have anticipated months ago the possible need to}
~~SO ORDERED THIS~~ day of _____, 2012.

^{These exhibits. Further, the exhibited proposed}
^{in doc. no. 653}
^{are arguably not}
^{relevant, and parties}
^{the issue as created by the cross examination of}
^{Hanson (not the direct examination) which}
^{defense counsel should have anticipated and}
^{had exhibits previously marked and disclosed}
^{earliest been prepared to use on cross}
^{examination.}

Arthur J. Schwab
United States District Judge