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FEMSUITE, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

KARL STORZ ENDOSCOPY-AMERICA, Inc.,

Plaintiff,

vs.

FEMSUITE, LLC,

Defendant.

Case No. C08-03210 BZ

JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER EXTENDING TIME FOR DEFENDANT FEMSUITE, LLC TO RESPOND TO COMPLAINT

Judge: Honorable Bernard Zimmerman

Complaint filed: July 3, 2008
Trial Date: None set

STIPULATION

WHEREAS, on July 3, 2008, Plaintiff KARL STORZ ENDOSCOPY-AMERICA, INC., ("Storz") filed suit for patent infringement against Defendant FEMSUITE, LLC ("FemSuite"); and

WHEREAS, FemSuite's response to the Complaint is currently due on August 6, 2008 pursuant to the Summons served with the Complaint upon FemSuite on July 7, 2008 requiring FemSuite to file and serve upon Plaintiff an answer or motion under Rule 12 of the Federal Rules of Civil Procedure within thirty (30) days; and

WHEREAS FemSuite has requested, and Plaintiff has agreed to, a thirty day extension of time to respond; and

WHEREAS, this extension is not for the purpose of delay, and the parties believe that this extension of time will not affect any dates that have been set by the Court;

ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY STIPULATE that FemSuite's response to the Complaint filed by Storz, which was originally due on August 6, 2008, may be filed and served up to and including September 8, 2008.

Dated: July 24, 2008

Respectfully submitted,
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO, PC

/s/ Allison K. Young
By: ALLISON K. YOUNG

Attorneys for Defendant,
FemSuite, LLC

Dated: July 24, 2008

Respectfully submitted,
BECK ROSS BISMONTE & FINLEY, LLP

/s/ Alfredo A. Bismonte
By: ALFREDO A. BISMONTE

Attorneys for Plaintiff,
Karl Storz Endoscopy-America, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 25, 2008

THE HONORABLE BERNARD ZIMMERMAN
UNITED STATES MAGISTRATE JUDGE

4388063v.1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Judge Bernard Zimmerman