IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KYPHON INC., Plaintiff, v. DISC-O-TECH MEDICAL TECHNOLOGIES LTD., and DISC ORTHOPAEDIC TECHNOLOGIES, INC., Defendants.	C.A. No. 04-204-JJF

ORDER

WHEREAS the parties to this action have agreed to modify certain dates in the Scheduling Order for this matter, subject to the Court's approval,

NOW THEREFORE, the parties' proposed changes are approved and the Scheduling Order is hereby modified as follows:

(i) The date for service of rebuttal expert reports regarding U.S. Patent Nos. 6,613,054 B2 and 6,241,734 B1 is April 4, 2005;

(ii) The date for service of Defendants' rebuttal damages expert report is April 6, 2005;

(iii) The date for filing and service of claim construction and summary judgment opening briefs is April 6, 2005; and

(iv) The date for filing and service of rebuttal briefs regarding claim construction and summary judgment motions is April 13, 2005.

SO ORDERED this 31 day of March, 2005.

Vincent J. Poppiti
Special Master

April 4, 2005

APPROVED BY:

UNITED STATES DISTRICT JUDGE