

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

JEFFREY GELFAND, MD,	)	
	)	C.A. No. 21-1753-CFC
Plaintiff,	)	
	)	<b>JURY TRIAL DEMAND</b>
v.	)	
	)	
ACUMED, LLC,	)	
	)	
Defendant.	)	
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JEFFREY GELFAND, MD,	)	
	)	C.A. No. 21-1754-CFC
Plaintiff,	)	
	)	<b>JURY TRIAL DEMAND</b>
v.	)	
	)	
ARTHREX, INC.,	)	
	)	
Defendant.	)	

**STIPULATION AND ~~PROPOSED~~ ORDER REGARDING STAY**

WHEREAS, Plaintiff Jeffrey Gelfand, MD (“Gelfand”) has filed Complaints against Defendants Arthrex, Inc. (“Arthrex”) and Acumed, LLC (“Acumed”) alleging infringement of U.S. Patent Nos. 8,282,674 (“the ‘674 patent”) and 9,149,312 (“the ‘312 patent”) (collectively, the “Patents-in-Suit”);

WHEREAS, Arthrex and Acumed have filed the following petitions for *Inter Partes* Review (“IPR”) challenging the Patents-in-Suit: IPR2023-00009 and IPR2023-00014 (the “IPR Proceedings”);

WHEREAS, the parties have agreed to dismiss all claims relating to the '674 patent with prejudice, as indicated in the Stipulations of Dismissal (D.I. 34 in Case No. 21-1753, D.I. 31 in Case No. 21-1754), and to terminate IPR2023-00009 relating to the '674 patent;

WHEREAS, Arthrex and Acumed have indicated their intent to move to stay these cases pending completion of IPR2023-00014;

WHEREAS, in the interest of avoiding unnecessary motion practice, and to conserve judicial resources, the parties have agreed to stay these cases pending final resolution of IPR2023-00014 and any appeals;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that these cases are stayed pending final resolution of IPR2023-00014 and any appeals. Each party reserves the right to request that the stay be lifted or modified due to changed circumstances.

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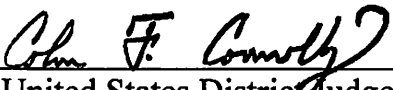
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*Attorneys for Defendant, Arthrex, Inc.*

SO ORDERED this 28th day of October 2022

  
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Chief United States District Judge