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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION – SANTA ANA**

COLIBRI HEART VALVE LLC,

Plaintiff,

v.

MEDTRONIC COREVALVE LLC

Defendant.

Case No.: 8:20-cv-00847-DOC-JDE

**JOINT STIPULATION AND
REQUEST TO ENTER [PROPOSED]
ORDERS: (1) [PROPOSED] CASE
SCHEDULE [EXHIBIT A];
[PROPOSED] PROTECTIVE ORDER
[EXHIBIT B]; AND (3) [PROPOSED]
ORDER APPOINTING DAVID
KEYZER AS THE SPECIAL
TECHNICAL MASTER [EXHIBIT C]**

1 Following the in-person status conference (“Status Conference”) conducted
2 with the Court on November 17, 2020, Plaintiff Colibri Heart Valve, LLC (“Colibri”)
3 and Defendant Medtronic CoreValve LLC (“Medtronic”) (collectively, “the Parties”)
4 submit, and request that the Court enter, proposed orders as follows:

5 WHEREAS, this Court has set a jury trial in this matter for September 14, 2021
6 [Dkt. 53], which the Court indicated at the Status Conference would not move under
7 any circumstances;

8 WHEREAS, the Parties have met and conferred and request that this Court
9 enter the Proposed Case Schedule attached hereto as Exhibit A, which sets forth dates
10 for claim construction, among others, and preserves this Court’s trial date;

11 WHEREAS, the Parties have met and conferred and request that this Court
12 enter the Proposed Protective Order attached hereto as Exhibit B;

13 WHEREAS, this Court, at the Status Conference, requested the Parties agree
14 upon a Technical Special Master; accordingly, the Parties respectfully agree upon
15 designating David Keyzer as the Technical Special Master and request that this Court
16 enter the Proposed Order Appointing David Keyzer as the Technical Special Master
17 (in the form provided by Mr. Keyzer), attached hereto as Exhibit C.

18 WHEREFORE, the Parties jointly and respectfully request this Court to:

- 19 1. Enter the Proposed Case Schedule attached hereto as Exhibit A;
- 20 2. Enter the Proposed Protective Order attached hereto as Exhibit B; and
- 21 3. Enter the Proposed Order Appointing David Keyzer as the Technical Special
22 Master, which order is attached hereto as Exhibit C.

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1 DATED: November 20, 2020

SKIERMONT DERBY LLP

2 By: /s/ Mieke K. Malmberg

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27 *Attorneys for Plaintiff*
28 Colibri Heart Valve LLC

The signatory above attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

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DATED: November 20, 2020

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By: /s/ Kathryn Riley Grasso

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Attorneys for Defendant
Medtronic CoreValve LLC

CERTIFICATE OF SERVICE

1 I hereby certify that a true and correct copy of the above and foregoing Joint
2 Stipulation was served on all counsel of record who are deemed to have consented to
3 electronic service via the Court’s CM/ECF system. Pursuant to Local Rule 5.4(c), any
4 other counsel will be served by electronic mail delivery.
5

6 /s/ Mieke K. Malmberg
7 Mieke K. Malmberg
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