

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-1058, -1059

MEDTRONIC NAVIGATION, INC. (formerly known as Surgical Navigation Technologies, Inc.), MEDTRONIC SOFAMOR DANEK, INC., and SOFAMOR DANEK HOLDINGS, INC.,

Plaintiffs-Appellants,

and

ST. LOUIS UNIVERSITY and  
TRUSTEES OF DARTMOUTH COLLEGE,

Plaintiffs,

and

MCDERMOTT WILL & EMERY LLP,

Nonparty-Appellant,

v.

BRAINLAB MEDIZINISCHE COMPUTERSYSTEME GMBH,  
BRAINLAB AG, BRAINLAB USA, INC., and BRAINLAB, INC.,

Defendants-Appellees.

Appeals from the United States District Court for the District of Colorado  
in case no. 98-CV-01072, Senior Judge Richard P. Matsch.

ON MOTION

Before LINN, Circuit Judge.

## ORDER

BrainLAB Medizinische Computersysteme GmbH et al. move without opposition for leave to extend the permitted length of their brief to 20,000 words.

The court notes that the appellees are responding to two separate briefs which total over 27,000 words.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion is granted in part; the appellees may file a brief not to exceed 16,000 words.
- (2) Each reply brief may not exceed 7,000 words.

FOR THE COURT

**MAY -1 2009**

\_\_\_\_\_  
Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

cc: Seth P. Waxman, Esq.  
Carter G. Phillips, Esq.  
Jay Reed Campbell, Esq.

**MAY - 1 2009**

JAN HORBALY  
CLERK

s8