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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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MEDTRONIC SOFAMOR DANEK, INC.,

Plaintiff,

vs.

No. 01-2373-G/V

GARY KARLIN MICHELSON, M.D.  
and KARLIN TECHNOLOGY, INC.,

Defendants.

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ORDER DENYING MOTION TO BIFURCATE AND STAY

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Plaintiff Medtronic Sofamor Danek, Inc., moves the court to bifurcate and stay several of defendants' counterclaims. The motion requests bifurcation of both trial and discovery. With respect to bifurcation of issues at trial, the motion is premature. While it appears that this case might well be one in which bifurcation of issues for trial is appropriate and efficient, that decision should be made much closer to the trial itself, after potentially dispositive motions have been resolved. To the extent that the motion seeks to bifurcate and stay discovery, the motion does not adequately explain how a

217

bifurcation of discovery would promote efficiency. The motion is denied.

IT IS SO ORDERED.

*Julia Smith Gibbons*  
JULIA SMITH GIBBONS  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation

*September 4, 2002*



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Honorable Julia Gibbons  
US DISTRICT COURT