

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. EDCV 05-426-VAP(MRWx)

Date July 6, 2015

Title G. DAVID JANG, M.D. -v- BOSTON SCIENTIFIC CORPORATION, a Delaware corporation; SCIMED LIFE SYSTEMS, INC., a Minnesota corporation

Present: The VIRGINIA A. PHILLIPS, UNITED STATES DISTRICT JUDGE
Honorable

Marva Dillard

Adele Frazier

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Jeffrey J. Toney
Jed I. Bergman
Jonathan K. Waldrop

John Nilsson
Edward Han
Amie L. Medley

Proceedings: DEFENDANTS' BOSTON SCIENTIFIC CORPORATION AND SCIMED LIFE SYSTEMS, INC., FOR JUDGMENT AS A MATTER OF LAW, [ECF 638];

PLAINTIFF G. DAVID JANG, M.D.'S MOTION TO STRIKE JAMES MOORE, Ph.D.'s TESTIMONY, [ECF 644];

PLAINTIFF G. DAVID JANG, M.D.'S MOTION FOR A CURATIVE INSTRUCTION REGARDING TESTIMONY OF DR. JAMES MOORE, [ECF 650];

JURY INSTRUCTIONS CONFERENCE

The above-entitled matters are held.

Defendants' Motion for Judgment as a Matter of Law, [ECF 638], is DENIED for the reasons stated on the record.

Plaintiff's Motion to Strike James Moore, Ph.D.'s Testimony, [ECF 644], is DENIED. Plaintiff's alternative Request for a Curative Instruction regarding testimony of Dr. James Moore, [ECF 650], is GRANTED.

The Court ruled on the form of the proposed Special Verdict form submitted by the parties; in particular, ordered that the questions regarding the defenses of equitable estoppel, waiver and unclean hands be deleted, and ordered that the instructions on the Special Verdict form direct the jury only to reach the questions regarding infringement under the doctrine of equivalents if it found Defendant was not liable under a theory of literal infringement.

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The Court rules on the parties' disputed and supplemental jury instructions for the reasons stated on the record.

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