

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TREACE MEDICAL CONCEPTS, INC.,

Plaintiff,

v.

ZIMMER BIOMET HOLDINGS, INC. and
PARAGON 28, INC.

Defendants.

C.A. No. 25-592-GBW

STIPULATION AND [PROPOSED] ORDER TO EXTEND STAY

WHEREAS, on September 15, 2025, the Court entered a Stipulation and Order staying the above-captioned action for 45-days to accommodate settlement discussions among Plaintiff Treace Medical Concepts, Inc. (“Plaintiff”) and Defendants Zimmer Biomet Holdings, Inc. and Paragon 28, Inc. (collectively, “Defendants”) (D.I. 15); and on October 30, 2025, the Court entered an additional stay of 30 days (*See* October 30, 2025 text order);

WHEREAS Plaintiff and Defendants are continuing discussions and, therefore, the parties seek to extend the stay, subject to the approval of the Court, for an additional nine (9) days.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties, and subject to the approval of the Court, that the stay in this action shall be extended until December 12, 2025. Defendants’ deadline to move, answer or otherwise respond to Plaintiff’s Amended Complaint (D.I. 12) shall be further extended from December 10, 2025 to December 19, 2025.

HEYMAN ENERIO
GATTUSO & HIRZEL LLP

/s/ Dominick T. Gattuso
Dominick T. Gattuso (#3630)
222 Delaware Avenue, Suite 900
Wilmington, DE 19801
302-472-7300
dgattuso@hegh.law

*Attorneys for Plaintiff Treace Medical
Concepts, Inc.*

MORGAN, LEWIS & BOCKIUS LLP

/s/ John V. Gorman
John V. Gorman (#6599)
1201 N. Market Street, Suite 2201
Wilmington, DE 19801
(302) 574-3000
john.gorman@morganlewis.com

*Attorneys for Defendants
Zimmer Biomet Holdings, Inc. and
Paragon 28, Inc.*

OF COUNSEL:

WINSTON & STRAWN LLP
Nimalka Wickramasekera
333 South Grand Avenue, 38th Floor
Los Angeles, CA 90071-1543
213-615-1819
nwickramasekera@winston.com

Robert T. Vlasik III
1901 L Street NW
Washington, DC 20036
202-282-5000
rvlasik@winston.com

Michael A. Meneghini
35 W. Wacker Drive
Chicago, IL 60601-9703
312-558-3749
mmeneghini@winston.com

Olivia A. Wogon
800 Capitol Street, Suite 2400
Houston, TX 77002
713-651-2743
owogon@winston.com

Dated: December 1, 2025

SO ORDERED this _____ day of _____ 2025.

The Honorable Gregory B. Williams
United States District Court Judge