

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

NANCY WADDELL,

Plaintiff,

vs.

WYETH LLC, et al.

Defendants.

Case No.: 1:04-cv-06343-JRG-DLB

ORDER RELATING TO THE
PARTIES' JOINT STATUS REPORT

KAY UHALT and STEPHEN UHALT,

Plaintiffs,

vs.

WYETH LLC, et al.

Defendants.

Case No.: 1:10-cv-02404-JRG-DLB

DOROTHY SETSER and HOWARD SETSER,

Plaintiffs,

vs.

WYETH LLC, et al.

Defendants

Case No.: 1:10-cv-02405-JRG-DLB

CAROL HILL and LEONARD HILL

Plaintiffs,

vs.

Case No.: 1:10-cv-02394-JRG-DLB

1 WYETH LLC. et al)
2 Defendants.)

3)
4)
5 MARIANNE PHILLIPS and WILLIAM)
6 PHILLIPS,)
7 Plaintiffs,)
8 vs.)
9 WYETH LLC, et al.)
10 Defendants.)

Case No.: 1:10-cv-02395-JRG-DLB

11 GLORINETTE MCPHERSON,)
12)
13 Plaintiff,)
14 vs.)
15 WYETH LLC, et al.)
16)
17 Defendants.)

Case No.: 1:10-cv-02384-JRG-DLB

18 BETTY CRAVEN and GEORGE CRAVEN,)
19)
20 Plaintiffs,)
21 vs.)
22 WYETH LLC, et al.)
23)
24 Defendants.)

Case No.: 1:10-cv-02382-JRG-DLB

25 SHIRLEY BOWLES and GERALD BOWLES,)
26 Plaintiffs,)
27 vs.)
28 WYETH LLC, et al.)

Case No.: 1:04-cv-06346-JRG-DLB

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Defendants.)
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PAMELA TURNER)
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Plaintiff,)
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vs.)
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PFIZER INC., et al.)
)
Defendants.)
_____)

Case No.: 1:10-cv-00288-JRG-DLB

LUCILLE MACIAS)
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Plaintiff,)
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vs.)
)
PFIZER INC., et al.)
)
Defendants.)
_____)

Case No.: 1:10-cv-00282-JRG-DLB


I have considered the Joint Status Report [ECF 55] filed by the parties in these actions. The parties state that they need 30 to 60 days to finalize the resolution of these cases and, therefore, propose a deadline of 60 days in which to file a joint motion to dismiss the above cases, or, in the alternative, file a joint status report informing the court as to the status of resolution of the cases. I find the parties’ proposal unacceptable. As I indicated at a status conference on December 9, 2011, “these cases are seven years old There have been orders entered ... and they’ve all been extended two or three times.” [1:04-cv-06343-JRG-DLB, ECF 36, pp. 5, 8.] I stated very clearly that “this process stops today. We’re going to set a firm scheduling order and we’re going to take these cases to trial.” *Id.* at 8. On January 20, 2012, I entered a scheduling order in these cases, setting trials to begin on October 22, 2012. [1:04-cv-06343-JRG-DLB, ECF 46.]

In April of 2012, the parties advised me the cases had settled and that they requested vacation of the scheduling order and 60 days to set a status conference. By order entered April 24, 2012, I vacated all trial and pre-trial deadlines in the above actions and ordered the parties to

1 file a joint status report within 60 days informing me as to the resolution of these cases, or in the
2 alternative, to file a joint motion to dismiss. [ECF 54.] The parties now seek an additional 60
3 days within which to file a joint motion to dismiss or, in the alternative, file a joint status report
4 informing me as to the status of resolution.

5 In light of the number of delays in these cases preceding settlement, the representation by
6 the parties in April, 2012, that these matters have settled, and the fact that the parties have already
7 requested one extension, which I granted, I am not willing to extend this matter out further. It is
8 **ORDERED** that the parties shall file a joint motion to dismiss within 30 days of entry of this
9 order. If the parties do not file a joint motion to dismiss within 30 days, the court will enter a new
10 scheduling order in this matter with court chosen deadlines, including a trial date in the coming
11 months.

12 ENTER: July 5, 2012

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14 Joseph R. Goodwin, Chief Judge
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