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13 Attorneys for Plaintiff Bettie Dall.

14 **THE UNITED STATES DISTRICT COURT FOR THE**
15 **EASTERN DISTRICT OF CALIFORNIA**

16 Bettie Dall, an individual.

17 Plaintiff,

18 vs.

19
20 Wyeth, Inc. (f/k/a American Home
21 Products; Wyeth Pharmaceuticals
22 (f/k/a Wyeth-Ayerst
23 Pharmaceuticals); Wyeth LLC;
24 Pharmacia & Upjohn Company, LLC;
25 Pharmacia & Upjohn LLC;
26 Pharmacia Corporation; Pfizer, Inc.
and Does 1 through 100, inclusive,
(Hereinafter Defendants)

27 Defendants.

Case No. 1:10-CV-00319-OWW-DLB

[Judge Oliver W. Wanger]

**STIPULATION AND ORDER TO
EXTEND DEADLINES**

1 Through this Stipulation, and for the reasons set forth below, Plaintiff Bettie
2 Dall ("Plaintiff") requested and Wyeth Inc. et. al. ("Defendants") agreed to stipulate
3 to the extension of all remaining pre-trial deadlines and also stipulate to adjourn the
4 trial date of November 1, 2011 to March 20, 2012:

5 WHEREAS, pursuant to the December 3, 2010 Order to Extend All
6 Deadlines, this matter is currently set on the Court's November 1, 2011 trial
7 calendar, with the following upcoming deadlines:

8	Expert Discovery Deadline	June 1, 2011
9	Mediation & Settlement Conference Deadline	June 27, 2011
10	Non-Dispositive Motions Deadline	June 16, 2011
11	Non-Dispositive Motion Hearing	July 8, 2011
12	Dispositive Motions Deadline	July 1, 2011
13	Dispositive Motion Hearing	August 8, 2011
14	Final Pretrial Conference Date	September 12, 2011
15	Trial Date	November 1, 2011

16 WHEREAS, Plaintiff's counsel is currently set in 8 Hormone Replacement
17 Therapy ("HRT") trials in 3 states over the next year. Each HRT trial, like this
18 matter, requires substantial logistical planning, extensive coordination of witnesses
19 and resources, and 4-6 weeks of trial time;

20 WHEREAS, Plaintiff's counsel has other civil trials set to begin in the years
21 2011 and 2012, in addition to cases regarding HRT;

22 WHEREAS, none of the 8 HRT trials were initially scheduled with
23 consideration of and in coordination with Plaintiff counsel's other trial dates and
24 locations;
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1 WHEREAS, the current overlapping and uncoordinated fact and expert
2 discovery deadlines across the 8 HRT cases are too burdensome to adequately and
3 properly handle by Plaintiff's counsel because there are as many as 8 expert and
4 15 fact witness depositions per case in multiple states;

5 WHEREAS, the process to obtain original breast imaging and pathology
6 tissue from multiple hospitals is cumbersome and slow because the treating
7 hospitals are very reluctant to release these materials for outside expert review and
8 testing and this stalls the expert discovery process;

9 WHEREAS, while the Parties have diligently worked together, Plaintiff's
10 counsel cannot effectively handle 8 simultaneous cases without changes to the
11 pretrial and trial deadlines in various HRT cases;

12 WHEREAS, the Parties have conferred for two weeks to coordinate and
13 revise the scheduling plan across multiple trials set for the years 2011 and 2012
14 and believe that the proposed dates in the motion address the Parties' concerns,
15 while keeping the cases moving expeditiously towards trial.

16 For the foregoing reasons, the Parties respectfully request that the Court enter
17 an Order extending all pretrial deadlines as indicated below, and adjourn the trial
18 date of November 1, 2011 to March 20, 2012:

19 The new deadlines would read as follows:

20 Expert Discovery Deadline	September 16, 2011
21 Mediation & Settlement Conference Deadline	October 3, 2011
22 Non-Dispositive Motions Deadline	October 31, 2011
23 Non-Dispositive Motion Hearing	December 16, 2011
24 Dispositive Motions Deadline	November 28, 2011
25 Dispositive Motion Hearing	January 9, 2011
26 Final Pretrial Conference Date	February 6, 2012
27 Trial Date	March 20, 2012

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Dated: June 6, 2011

By: /s/ Richard L. Kellner, Esq.
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Dated: June 6, 2011

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Dated: June 6, 2011

By: /s/ Wendy Dowse, Esq.
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Attorneys for Pfizer Inc., Pharmacia & Upjohn Company LLC and W

IT IS SO ORDERED.

Dated: June 8, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE