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6 Attorneys for Defendants
BRENN DISTRIBUTION, INC. f/k/a
7 PROPST DISTRIBUTION, INC. f/k/a
QUALITEST PHARMACEUTICALS, INC.; and
8 BRENN MANUFACTURING, INC. f/k/a
VINTAGE PHARMACEUTICALS, INC.
9

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **FRESNO DIVISION**

13
14 EDWARD BALTAZAR, et al.

15 Plaintiffs,

16 v.

17
18 MCKESSON CORPORATION, et al.,

19 Defendants.
20

CASE NO.: 1:12-CV-01917-AWI-BAM

**STIPULATED REQUEST TO
EXTEND DEFENDANTS' TIME
TO RESPOND TO PLAINTIFFS'
COMPLAINT PENDING
RESOLUTION OF MOTION TO
REMAND; ORDER**

21
22 WHEREAS, Plaintiffs' Complaint was filed in Fresno County Superior Court on
23 November 15, 2012;

24 WHEREAS, this action was removed by Defendants BRENN DISTRIBUTION,
25 INC. f/k/a PROPST DISTRIBUTION, INC. f/k/a QUALITEST
26 PHARMACEUTICALS, INC. and BRENN MANUFACTURING, INC. f/k/a
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1 VINTAGE PHARMACEUTICALS, INC. to the United States District Court for the
2 Eastern District of California on November 26, 2012 [Docket No. 1];

3 WHEREAS, Plaintiffs filed a Motion to Remand on January 31, 2013 [Docket
4 No. 9], and the hearing on Plaintiffs Remand Motion set for March 15, 2013 has been
5 stayed pending a decision from the MDL;

6 WHEREAS, various defendants have been served in the intervening time period
7 with response deadlines likely to occur prior to the ruling on the pending motion to
8 remand;

9 IT IS HEREBY AGREED AND STIPULATED by and between Defendants and
10 Plaintiffs, through their respective attorneys of record, that:

11 In the interest of judicial economy, and upon the Court's entry of an order upon
12 this stipulation (Proposed Order submitted concurrently herewith), any Defendants who
13 have an upcoming deadline to respond to the Complaint shall have that deadline
14 continued until thirty (30) days after the entry of any court order denying Plaintiffs'
15 Motion to Remand. If Plaintiffs' Remand Motion is granted, the parties agree that the
16 time for Defendants to respond to the Complaint shall be governed by the California
17 Code of Civil Procedure, stipulation of counsel, and/or other court order.

18
19 Dated: April 4, 2013

KHORRAMI LLP

20
21 By: /s/ Elise Rochelle Sanguinetti

(as authorized on 04/04/2013)

22 Elise Rochelle Sanguinetti

23 Attorneys for Plaintiffs
24
25
26
27
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1 Dated: April 4, 2013

MORRIS POLICH & PURDY LLP

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3 By: /s/ Tammara N. Tukloff

4 Carolyn Taylor

5 Tammara N. Tukloff

6 Attorneys for Defendants

7 BRENN DISTRIBUTION, INC. f/k/a

8 PROPST DISTRIBUTION, INC. f/k/a

9 QUALITEST PHARMACEUTICALS,

10 INC.; and BRENN MANUFACTURING,

11 INC. f/k/a VINTAGE

12 PHARMACEUTICALS, INC.

13 Dated: April 4, 2013

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15 (as authorized on 04/04/2013)

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27 MCKESSON CORPORATION

1 Dated: April 4, 2013

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Attorneys for Defendants

VINTAGE PHARMACEUTICALS, LLC;

GENERICS INTERNATIONAL (US), INC.;

GENERICS BIDCO I, LLC; GENERICS

BIDCO II, LLC; GENERICS

INTERNATIONAL (US PARENT), INC.;

ENDO PHARMACEUTICALS, INC.; and

ENDO PHARMACEUTICALS HOLDINGS,

INC.

16 Dated: April 4, 2013

SEDGWICK LLP

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18 By: /s/ Christopher P. Norton

(as authorized on 04/04/2013)

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2 Dated: April 4, 2013

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4 **PIETRAGALLO GORDON ALFANO**
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25 Attorneys for Defendants

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27 PHARMACEUTICALS INC.

1 Dated: April 4, 2013

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Attorneys for

CORNERSTONE BIOPHARMA

HOLDINGS, INC.

10
11 **ORDER**

12 Based on the above stipulation, and for good cause shown, the Court finds the
13 Stipulated Request is **GRANTED**. Accordingly, it is hereby **ORDERED** that:

- 14 1. The deadline for any Defendant to respond to the Complaint shall be
15 continued until thirty (30) days after the entry of any order of this Court which
16 denies Plaintiffs' Motion to Remand; and
17 2. Should Plaintiffs' Remand Motion be granted, Defendants' time to respond to
18 the Complaint shall be governed by the California Code of Civil Procedure,
19 stipulation of counsel, and/or other court order.

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21 IT IS SO ORDERED.

22 Dated: April 10, 2013

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE