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5 Attorneys for Defendants  
 GUIDANT CORPORATION, GUIDANT SALES  
 6 CORPORATION, CARDIAC PACEMAKERS, INC.,  
 ORIGIN MEDSYSTEMS, INC. and BOSTON  
 7 SCIENTIFIC CORPORATION

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10 MARYLOU ARMUTH, *et al.*,  
 11 Plaintiffs,  
 12 vs.  
 13 GUIDANT CORPORATION, *et al.*,  
 14 Defendants.  
 15

Case No. 2:06-CV-02420-DFL-DAD  
 STIPULATION AND ORDER TO  
 CONTINUE PRETRIAL DEADLINES

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 17 IT IS HEREBY STIPULATED by and between the parties through their designated counsel  
 18 that the deadline for Defendants to answer or otherwise respond to Plaintiffs' Complaint in this  
 19 action should be extended. It is further stipulated that the deadline for the parties to submit a joint  
 20 status report pursuant to Federal Rule of Civil Procedure 26(f) should be extended. Defendants seek  
 21 to transfer this case to the Multi-District Litigation proceeding established in the United States  
 22 District Court, District of Minnesota ("MDL court"). Accordingly, the following deadlines will be  
 23 modified as follows:

24 The deadline for Defendants to file an answer or otherwise respond to Plaintiffs' complaint  
 25 shall be as follows:

- 26 (a) if the case is not remanded to state court, and is transferred to the MDL court, any
- 27 response will be due pursuant to a deadline set by the MDL court;

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(b) if the case is not remanded and also is not transferred to the MDL court, any response will be due thirty (30) days after the decision by the JPML denying transfer to the MDL court; or

(c) if the case is remanded, any response will be due thirty (30) days after the remand decision by this Court.

The deadline for the parties to prepare and submit a joint status report shall be as follows:

(a) if the case is not remanded to state court, and is transferred to the MDL court, any joint status report will be due pursuant to a deadline set by the MDL court; or

(b) if the case is not remanded and also is not transferred to the MDL court, the joint status report will be due thirty (30) days after this Court denies remand.

All other deadlines will be set pursuant to Federal and local rule.

IT IS SO STIPULATED.

DATED: November \_\_\_\_, 2006

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: \_\_\_\_\_

DANA N. GWALTNEY  
SARA J. ROMANO

Attorneys for Defendants  
GUIDANT CORPORATION, GUIDANT SALES CORPORATION, CARDIAC PACEMAKERS, INC., BOSTON SCIENTIFIC CORPORATION and ORIGIN MEDSYSTEMS, INC.

DATED: November \_\_\_\_, 2006

Respectfully submitted,

REINER, SIMPSON, TIMMONS, & SLAUGHTER, L.L.P.

By: \_\_\_\_\_

ROBERT G. SIMPSON

Attorneys for Plaintiffs

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**ORDER**

Pursuant to stipulation, IT IS SO ORDERED.

Dated: November 9, 2006

/s/ David F. Levi  
THE HONORABLE DAVID F. LEVI