

1 Michelle M. Fujimoto (SBN: 125462)
Eva M. Weiler (SBN: 233942)
2 SHOOK, HARDY & BACON L.L.P.
Jamboree Center
3 5 Park Plaza, Suite 1600
Irvine, California 92614-2546
4 Telephone: 949.475.1500
Facsimile: 949.475.0016

5 Attorneys for Defendants Wyeth LLC
6 fka Wyeth and Wyeth Pharmaceuticals Inc.

7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 PATRICIA A. WALKER,

12 Plaintiff,

13 vs.

14 PFIZER, INC.; WYETH dba WYETH
15 LLC; WYETH PHARMACEUTICALS,
INC.; ORTHO-MCNEIL
16 PHARMACEUTICAL LLC;
17 MONARCH PHARMACEUTICALS
INC.; AND WARNER CHILCOTT US
LLC,

18 Defendants.

Case No.: 2:10-CV-00463 GEB-KJN

**STIPULATION FOR EXTENSION
OF TIME FOR DEFENDANTS
WYETH LLC FKA WYETH,
WYETH PHARMACEUTICALS
INC., AND PFIZER INC. TO
ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S
COMPLAINT; AND
[PROPOSED] ORDER**

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Complaint: Feb. 23, 2010

1. This stipulation for extension of time to answer or otherwise respond to plaintiff's complaint is made on behalf of defendants Wyeth LLC fka Wyeth, Wyeth Pharmaceuticals Inc., and Pfizer Inc. No prior extensions of time to respond to the complaint have been sought by any of the parties.

2. This case is one of more than hundreds of pending federal cases in which plaintiffs seek relief in connection with their use of the prescription drug Prempro.

3. On March 4, 2003, the Judicial Panel on Multidistrict Litigation (the "MDL Panel") ordered that centralization pursuant to 28 U.S.C. § 1407 was

1 appropriate for the litigation concerning claims for relief by Prempro users, and the
2 Panel issued a Transfer Order assigning the litigation to Judge William R. Wilson, Jr.
3 of the Eastern District of Arkansas. See In re Prempro Products Liability Litigation,
4 MDL Docket No. 4:03CV1507 WRW (E.D. Ark.).

5 4. Pursuant to Rules 1.1, 7.4 and 7.5 of the Rules of Procedure of the
6 Judicial Panel on Multidistrict Litigation, defendant Wyeth will promptly notify the
7 Panel that this case qualifies as a “tag-along” action. It is to be expected that the Panel
8 will shortly issue a Conditional Transfer Order listing this case.

9 5. Under Practice and Procedure Order No. 1 of In re Prempro Products
10 Liability Litigation, MDL Docket No. 4:03CV1507 WRW, defendants are relieved of
11 their obligations to answer complaints in “tag-along” actions, and one of a number of
12 answers on file with the MDL court are deemed their answers in such actions.

13 6. Accordingly, defendants move this Court for an extension of time to
14 answer or otherwise respond to the complaint through and including the day that
15 transfer of this case to In re Prempro Products Liability Litigation, MDL Docket No.
16 4:03CV1507 WRW, is accomplished pursuant to 28 U.S.C. § 1407.

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18 Dated: April_12, 2010

SHOOK, HARDY & BACON L.L.P.

19
20 By: /s/ Eva M. Weiler
Eva M. Weiler
21 Attorneys for Defendants Wyeth and Wyeth
Pharmaceuticals Inc.

22
23 Dated: April_7, 2010

KAYE SCHOLER LLP

24
25 By: /s/ Pamela Yates (as authorized 4/7/10)
Pamela Yates
26 Attorneys for Pfizer Inc.

1 Dated: April_12, 2010

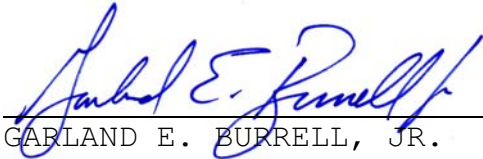
STEBNER AND ASSOCIATES

2
3 By: /s/ Kathryn A. Stebner (as authorized
4/12/10

4 Kathryn A. Stebner
Attorneys for Plaintiff Patricia A. Walker

5
6 **IT IS SO ORDERED.**

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9 Dated: 4/14/10

10 
GARLAND E. BURRELL, JR.
United States District Judge

1 **PROOF OF SERVICE**

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3 I am employed in the County of Orange, State of California. I am over the age
4 of 18 and not a party to the within action. My business address is 5 Park Plaza, Suite
5 1600, Irvine, California 92614.

6 On April 12, 2010, I served on the interested parties in said action the within:

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8 **STIPULATION FOR EXTENSION OF TIME FOR DEFENDANTS WYETH**
9 **LLC FKA WYETH, WYETH PHARMACEUTICALS INC., AND PFIZER INC.**
10 **TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT;**
11 **AND [PROPOSED] ORDER**

12 by placing a true copy thereof in a sealed envelope(s) addressed as stated on the
13 attached mailing list.

14 (MAIL) I am readily familiar with this firm's practice of collection and
15 processing correspondence for mailing. Under that practice it would be
16 deposited with the U.S. postal service on that same day in the ordinary course
17 of business. I am aware that on motion of party served, service is presumed
18 invalid if postal cancellation date or postage meter date is more than 1 day after
19 date of deposit for mailing in affidavit.

20 (HAND DELIVERY) By placing a true and correct copy of the above
21 document(s) in a sealed envelope addressed as indicated above and causing
22 such envelope(s) to be delivered by hand to the addressee(s) designated.

23 (ELECTRONIC FILING) I provided the document(s) listed above
24 electronically through the CM/ECF system pursuant to the instructions set forth
25 in the Local Rules for the United States District Court for the Eastern District of
26 California.

27 I declare under penalty of perjury under the laws of the State of California that
28 the foregoing is true and correct.

Executed on April 12, 2010, at Irvine, California.

Eva M. Weiler
(Type or print name)

/s/ Eva M. Weiler
(Signature)

SERVICE LIST

1
2 Kathryn A. Stebner
3 STEBNER AND ASSOCIATES
4 870 Market Street, Suite 1212
5 San Francisco, CA 94105

6 Tel: (415) 362-9800
7 Fax: (415) 362-9801
8 **Attorney for Plaintiff**

Michael L. Williams
Leslie O’Leary
Williams Love O’Leary & Powers, P.C.
9755 SW Barnes Rd., Ste. 450
Portland, OR 97225-6681

Tel: (503) 295-2924
Fax: (503) 295-3720
Attorney for Plaintiff

9 Bryan O. Blevins, Jr., Esq.
10 Christopher T. Kirchmer, Esq.
11 PROVOST, UMPHREY LAW FIRM
12 490 Park Street
13 PO Box 4905
14 Beaumont, TX 77704

15 Tel: (409) 835-6000
16 Fax: (409) 813-8612
17 **Attorney for Plaintiff**