TUCKER ELLIS & WEST LLP MICHAEL C. ZELLERS (SBN 146904) MOLLIE BENEDICT (SBN 187084) WILLIAM H. DANCE (SBN 230041) 3 515 South Flower Street Forty-Second Floor 4 Los Angeles, CA 90071-2223 Telephone: 213.430.3400 5 Facsimile: 213.430.3409 E-Mail: michael.zellers@tuckerellis.com; mollie.benedict@tuckerellis.com; william.dance@tuckerellis.com 7 Attorneys for Defendants ALZA CORPORATION 8 and JANSSEN PHARMACEUTICALS, INC. (formerly known as ORTHO-MCNEIL-JANSSEN 9 PHARMACEUTICALS, INC.) 10 UNITED STATES DISTRICT COURT 11 EASTERN DISTRICT OF CALIFORNIA 12 13 MISTY SHAW, JAMES SHAW, and Case No. 2:11-CV-00189-JAM-CMK LUCILLE SHAW, 14 STIPULATION TO DISMISS Plaintiffs, 15 **DEFENDANTS ALZA CORPORATION** AND JANSSEN PHARMACEUTICALS, VS. 16 INC. AND ORDER MYLAN, INC., MYLAN 17 PHARMACEUTICALS, INC., MYLAN Judge: Honorable John A. Mendez TECHNOLOGIES, INC., ALZA 18 CORPORATION, JANSSEN 19 PHARMACEUTICALS; and DOES 1 through 100, inclusive, 20 Defendants. 21 22 **STIPULATION** 23 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all parties who have 24 appeared, including all plaintiffs (Misty Shaw, James Shaw, and Lucille Shaw) and all named 25 defendants (ALZA Corporation, Janssen Pharmaceuticals, Inc., Mylan, Inc., Mylan 26 Pharmaceuticals, Inc., and Mylan Technologies, Inc.), stipulate that all claims that were or could 27 28 STIPULATION TO DISMISS ALZA CORP. & JANSSEN PHARMACEUTICALS, INC. (CASE NO. 2:11-CV-00189-JAM-CM)

Cleveland ♦ Columbus ♦ Denver♦ Los Angeles ♦ San Francisco

[PROPOSED] ORDER

Pursuant to the stipulation of counsel for all parties, IT IS HEREBY ORDERED that:

- 1. Defendants ALZA Corporation and Janssen Pharmaceuticals, Inc., formerly known and named in the action as Ortho-McNeil-Janssen Pharmaceuticals, Inc. are dismissed from this action, Shaw v. Mylan, Inc., No. 2-11-CV-00189-JAM-CM, without prejudice; and
- 2. Each party is to bear its own costs.

IT IS SO ORDERED.

DATED: December 8, 2011

/s/ John A. Mendez

Hon. John A. Mendez United States District Court Judge

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CERTIFICATE OF SERVICE

I am employed with the law firm of Tucker Ellis & West LLP, whose address is 515 South Flower Street, 42nd Floor, Los Angeles, California 90071-2223. I am over the age of eighteen years, and am not a party to the within action.

On December 8, 2011, I served the following: **STIPULATION AND PROPOSED** ORDER TO DISMISS ALZA CORP. & JANSSEN PHARMACEUTICALS, INC. on the interested parties in this action by:

ELECTRONICALLY VIA ECF: the above-entitled document to be served electronically through the United States District Court, Eastern Division ECF website on December 6, 2011, addressed to all parties appearing on the Court's ECF service list. The file transmission was reported as complete and a copy of the "Filing" Receipt" page will be maintained with the original document in our office.

(FEDERAL): I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed at Los Angeles, California on December 8, 2011.

/s/ Cynthia M. Harris Cynthia M. Harris

CERTIFICATE OF SERVICE (CASE NO. 2:11-CV-00189-JAM-CM)