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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF CALIFORNIA  
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7 ALCON LABORATORIES, INC. and  
8 NOVARTIS PHARMACEUTICALS  
CORPORATION,

9 Plaintiffs,

10 v.

11 STEPHEN CARLTON, District  
12 Attorney for the County of  
13 Shasta, in his official  
14 capacity; PAUL ZELLERBACH,  
15 District Attorney for  
16 the County of Riverside, in  
17 his official capacity; JAN  
18 SCULLY, District Attorney for  
19 the County of Sacramento, in  
her official capacity;  
ELIZABETH EGAN, District  
Attorney for the County of  
Fresno, in her official  
capacity; and TIM WARD,  
District Attorney for the  
County of Tulare, in his  
official capacity,

20 Defendants.  
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22 THE PEOPLE OF THE STATE OF  
23 CALIFORNIA,

24 Plaintiff,

25 v.

26 NOVARTIS PHARMACEUTICALS  
CORPORATION; ALCON  
27 LABORATORIES, INC.; and DOES  
1-20,

28 Defendants.

No. 2:13-cv-02372-GEB-CKD

**RELATED CASE ORDER**

2:13-cv-02389-LKK-EFB

1           Plaintiffs Alcon Laboratories, Inc. and Novartis  
2           Pharmaceuticals Corporation filed a "Notice of Related Cases" in  
3           which they state the above-entitled actions are related within  
4           the meaning of Local Rule 123(a) for the following reasons:

5           1. Both actions involve the same parties,  
6           namely, District Attorneys for five  
7           California counties; Alcon Laboratories, Inc.  
8           ("Alcon"); and Novartis Pharmaceuticals  
9           Corporation (NPC) [;]

10          2. Both actions are based on the same or  
11          similar claim involving Alcon's and NPC's  
12          alleged violation of California Business and  
13          Professions Code § 12606 and California  
14          Health and Safety Code § 110375 (the "Slack  
15          Fill Law"); and

16          3. Both actions involved similar questions of  
17          fact and the same question of law and  
18          assignment to the same Judge or Magistrate  
19          just is likely to effect a substantial  
20          savings of judicial effort because the same  
21          result should follow in both actions.

22          (Notice of Related Cases 2:10-18, ECF No. 5.)

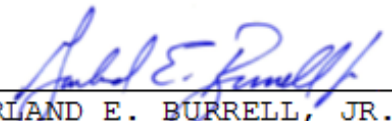
23          Examination of the above-entitled actions reveals they  
24          are related within the meaning of Local Rule 123. Under the  
25          regular practice of this Court, related cases are generally  
26          assigned to the judge and magistrate judge to whom the first  
27          filed action was assigned. Therefore, action 2:13-cv-02389 is  
28          reassigned to Judge Garland E. Burrell, Jr. and Magistrate Judge  
29          Carolyn K. Delaney for all further proceedings, and any date  
30          currently set in the reassigned case is VACATED. Henceforth the  
31          caption on documents filed in the reassigned case shall show the  
32          initials "GEB-CKD."

33          Further, a Status Conference is scheduled in the  
34          reassigned case before the undersigned judge on March 3, 2014, at  
35          9:00 a.m. A joint status report shall be filed no later than

1 fourteen (14) days prior.<sup>1</sup>

2 The Clerk of the Court shall make appropriate  
3 adjustment in the assignment of civil cases to compensate for  
4 this reassignment.

5 Dated: November 19, 2013

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8 GARIAND E. BURRELL, JR.  
9 Senior United States District Judge  
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26 <sup>1</sup> The failure of one or more of the parties to participate in the  
27 preparation of the Joint Status Report does not excuse the other parties from  
28 their obligation to timely file a status report in accordance with this Order.  
In the event a party fails to participate as ordered, the party timely  
submitting the status report shall include a declaration explaining why it was  
unable to obtain the cooperation of the other party or parties.