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*dermatomyositis was linked to chronic industrial use of Celebrex.*


ECF No. 13 at 28 (emphasis added). This would appear to contradict plaintiff’s allegation that she first became aware of the possible connection between her dermatomyositis and her ingestion of Celebrex no sooner than several months later, on July 18, 2013. Indeed, plaintiff alleges that the statute of limitations began to run when she first became aware of the connection on July 18, 2013, based upon a report of that date by the same Dr. Fishman, making a nearly identical statement:

“With regard to Ms. Viramontes specific case, the clinical evidence is detailed and compelling and . . . the facts are sufficient, buttressed by the medical literature, *to conclude with reasonable medical probability that the applicant’s Dermatomyositis was linked to chronic industrial use of Celebrex.*”

Complaint (ECF No. 1-1) (emphasis added) at p. 10:17-23 (quoting Dr. Fishman’s report).

Therefore, IT IS HEREBY ORDERED that plaintiff file a response to defendant’s Objections (ECF No. 20), no later than November 24, 2015. Failure to comply with this order may result in a recommendation that this action be dismissed with prejudice based upon the statute of limitations.

DATED: November 9, 2015

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE