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 MCKESSON CORPORATION
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8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 DAVID STARK; BILLY SMALL, JR.;
 LINDA WHITE, Individually and as
 12 Successor-In-Interest of the ESTATE OF
 CHARLES WHITE; GAYLON
 13 MURRAY; RUTH KENNON,
 Individually and as Successor-In-Interest
 14 of the ESTATE OF JAMES KENNON;
 and NANCY HOOSER,

15 Plaintiffs,

16 v.

17 MCKESSON CORPORATION, a
 18 Delaware corporation; BRISTOL-
 MYERS SQUIBB, a Delaware
 19 corporation; and PFIZER, INC., a
 Delaware corporation; and DOES 1
 20 through 100, inclusive,

21 Defendants.

Case No. 2:17-cv-00095-MCE-CKD

**STIPULATION AND ORDER
 EXTENDING DEFENDANT
 MCKESSON CORPORATION'S
 TIME TO RESPOND TO
 COMPLAINT**

Judge: Hon. Morrison C. England, Jr.

1 Pursuant to Civil Local Rule 144, plaintiffs David Stark et al. (“Plaintiffs”)
2 and defendant McKesson Corporation (“McKesson”), through their undersigned
3 counsel, hereby stipulate, subject to the Court’s approval, as follows:

4 WHEREAS, Plaintiff filed the Complaint in this case in the Superior Court
5 for the County of San Joaquin on November 10, 2016;

6 WHEREAS, McKesson was served with the Complaint on December 23,
7 2016;

8 WHEREAS, defendants Bristol-Myers Squibb and Pfizer Inc. removed this
9 action to this Court on January 17, 2017;

10 WHEREAS, McKesson’s deadline to respond to the Complaint, pursuant to
11 Federal Rule of Civil Procedure 6 and 81(c), is January 24, 2017;

12 WHEREAS, Plaintiffs intend to file a motion to remand this action to state
13 court;

14 WHEREAS, Plaintiffs and McKesson agree that extending McKesson’s
15 deadline until the jurisdictional issue is resolved will conserve the parties’ and
16 judicial resources;

17 WHEREAS, pursuant to Local Rule 144(a), parties may agree to an
18 extension of time, provided the stipulation is approved by the Court if the extension
19 of time is greater than 28 days;

20 WHEREAS, the extension proposed herein will not alter the date of any
21 event or deadline already fixed by Court order, including the Initial Pretrial
22 Scheduling Order (ECF No. 2); and

23 WHEREAS, no previous extensions of time have been obtained with respect
24 to this matter.

25 NOW, THEREFORE, in the interest of judicial economy and good cause
26 showing, the parties, by and through their undersigned counsel of record, hereby
27 agree and stipulate, and the Court hereby orders, as follows:
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1. McKesson shall have until 14 days after the Court issues an order on Plaintiff's motion to remand to respond to the Complaint.

2. In the event Plaintiffs do not file a motion to remand, McKesson shall have until March 2, 2017 to respond to the Complaint.

Dated: January 23, 2017

MORRISON & FOERSTER LLP

By: /s/ Erin M. Bosman
Erin M. Bosman

Attorneys for Defendant
MCKESSON CORPORATION

Dated: January 23, 2017

KIESEL LAW LLP

By: /s/ Melanie M. Palmer
Melanie M. Palmer
Attorneys for Plaintiffs

IT IS SO ORDERED.

Dated: January 24, 2017


MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE