

1 Alycia A. Degen, SBN 211350  
adegen@sidley.com  
2 Bradley J. Dugan, SBN 271870  
bdugan@sidley.com  
3 SIDLEY AUSTIN LLP  
555 West Fifth Street, Suite 4000  
4 Los Angeles, California 90013  
Telephone: +1 213 896-6000  
5 Facsimile: +1 213 896-6600

6 Attorneys for Defendants and Specially  
Appearing Defendants *Bayer Corporation,*  
7 *Bayer Essure Inc., Bayer HealthCare LLC,*  
*Bayer HealthCare Pharmaceuticals Inc.*  
8

9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA**

11 MARGIE ZAMORA, *et al.*, ) Case No. 3:17-cv-00587-WBS-AC  
12 )  
13 Plaintiffs, ) **JOINT STIPULATION TO**  
14 vs. ) **CONTINUE HEARING ON**  
15 ) **PLAINTIFFS' MOTION TO REMAND**  
16 ) **AND MOTION TO STAY**  
17 BAYER CORP.; BAYER HEALTHCARE )  
18 LLC; BAYER ESSURE INC., (F/K/A )  
19 CONCEPTUS, INC.); BAYER HEALTHCARE )  
20 PHARMACEUTICALS, INC.; and DOES 1-10, )  
21 inclusive, )  
22 Defendants. )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

1 Plaintiffs Margie Zamora, *et al.*, and defendants and specially-appearing defendants Bayer  
2 Corporation, Bayer Essure Inc., Bayer HealthCare LLC, and Bayer HealthCare Pharmaceuticals Inc.  
3 (collectively, “Bayer”), hereby stipulate and agree as follows:

4 1. Plaintiffs filed their complaint on February 17, 2017, in the Superior Court for the  
5 State of California, County of San Joaquin. In their complaint, Plaintiffs assert claims involving the  
6 Essure® Permanent Birth Control System (the “Essure® Device”), which is a Class III medical  
7 device approved by the United States Food and Drug Administration (“FDA”) pursuant to the Pre-  
8 Market Approval Application (“PMA”) process.

9 2. On March 17, 2017, Bayer removed the matter from the San Joaquin County Superior  
10 Court to the United States District Court for the Eastern District of California. [Dkt. No. 1].

11 3. Bayer filed its Motion to Dismiss on March 24, 2017. [Dkt. No. 10]. The Motion to  
12 Dismiss is currently scheduled for hearing on June 26, 2017.

13 4. Plaintiffs filed a Motion to Remand and a Motion to Stay Proceedings Pending  
14 Ruling on the Motion to Remand on March 30, 2017. [Dkt. Nos. 13 & 14]. Both motions are  
15 scheduled for hearing on May 15, 2017.

16 5. Counsel for Bayer has a conflict with the May 15, 2017 hearing date.

17 6. Accordingly, the parties have agreed and jointly request the Court to order that the  
18 hearing on Plaintiffs’ Motion to Remand and Motion to Stay Proceedings Pending Ruling on the  
19 Motion to Remand be reset for May 30, 2017, at 1:30 p.m., and that all interim briefing deadlines be  
20 reset accordingly.

21 IT IS SO STIPULATED.

22 Dated: April 26, 2017

LENZE MOSS, PLC

23 By: /s/ Jaime E. Moss (as authorized on 4/24/17)  
24 Jaime E. Moss  
Attorneys for Plaintiffs Margie Zamora, *et al.*

25 Dated: April 26, 2017

SIDLEY AUSTIN LLP

26 By: /s/ Alycia A. Degen  
27 Alycia A. Degen  
Attorneys for Defendants and Specially  
28 Appearing Defendants

Bayer Corporation, Bayer HealthCare LLC,  
Bayer Essure Inc., and Bayer HealthCare  
Pharmaceuticals Inc.

**ORDER**

PURSUANT TO THE PARTIES' STIPULATION, and for good cause shown, IT IS  
ORDERED THAT the hearing on Plaintiffs' Motion to Remand and Motion to Stay are continued  
from May 15, 2017 to May 30, 2017, at 1:30 p.m., and that all interim briefing deadlines are reset  
accordingly.

Dated: April 26, 2017



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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE