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10 Attorneys for Petitioner  
 11 *Pharmaniaga Berhad*

12 UNITED STATES DISTRICT COURT  
 13 EASTERN DISTRICT OF CALIFORNIA  
 14 SACRAMENTO DIVISION

15 PHARMANIAGA BERHAD,  
 16 a Malaysian entity,

17 Petitioner,

18 v.

19 E\*HEALTHLINE.COM, INC.,  
 20 a Delaware corporation,

21 Respondent.

CASE NO. 2:17-cv-02672-MCE-EFB

The Honorable Morrison C. England, Jr.  
 Courtroom 7

**STIPULATION AND ORDER TO  
 ESTABLISH REMAINING BRIEFING  
 SCHEDULE**

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1 **JOINT STIPULATION**

2 WHEREAS, on January 12, 2018, Petitioner Pharmaniaga Berhad (“**Pharmaniaga**”)  
3 filed its Petition and Motion for Confirmation of Foreign Arbitral Award, Entry of Judgment,  
4 and Attorney’s Fees Incurred in Confirming the Award (“**Motion for Confirmation**”) set for  
5 hearing on February 22, 2018 (ECF No. 16);

6 WHEREAS, on January 16, 2018, the Court vacated the hearing on Pharmaniaga’s  
7 Motion for Confirmation and ordered that “[t]he opposition or statement of non-opposition, and  
8 reply due dates shall be filed in accordance with the original motion hearing date” (ECF No. 19),  
9 such that the deadline for Respondent E\*HealthLine.com, Inc. (“**EHL**”) to file any opposition to  
10 the Motion for Confirmation was February 8, 2018;

11 WHEREAS, on February 2, 2018, Respondent E\*HealthLine.com, Inc. (“**EHL**”) filed its  
12 Motion to Dismiss for Failure to State a Claim and Lack of Jurisdiction (“**Motion to Dismiss**”)  
13 set for hearing on March 8, 2018 (ECF No. 23);

14 WHEREAS, on February 6, 2018, the Court vacated the hearing on EHL’s Motion to  
15 Dismiss and ordered that “[t]he opposition or statement of non-opposition, and reply due dates  
16 shall be filed in accordance with the original motion hearing date” (ECF No. 25);

17 WHEREAS, on February 8, 2018, EHL opposed Pharmaniaga’s Motion to Confirm by  
18 filing a Cross-Motion to Vacate Arbitral Award (“**Cross-Motion to Vacate**”), which included a  
19 consolidated Memorandum of Points and Authorities Opposing the Motion for Confirmation and  
20 Supporting the Cross-Motion to Vacate (ECF No. 26-1), but did not file a separate opposition  
21 brief in response to the Motion to Confirm;

22 WHEREAS, EHL set the hearing on its Cross-Motion to Vacate on March 8, 2018 (ECF  
23 No. 26);

24 WHEREAS, on February 13, 2018, the Court vacated the hearing on EHL’s Cross-  
25 Motion to Vacate and ordered “[t]he opposition or statement of non-opposition, and reply due  
26 dates shall be filed in accordance with the original motion hearing date” (ECF No. 27);

27 WHEREAS, Pharmaniaga’s Motion for Confirmation, EHL’s Cross-Motion to Vacate,  
28 and EHL’s Motion to Dismiss all remain pending before the Court;

1 WHEREAS, the aforementioned pending motions all relate to the general subject matter  
2 of Pharmaniaga's original Motion for Confirmation, *see* E.D. Cal. L.R. 230(e);

3 WHEREAS, in the interest of efficiency, the parties agree that briefing on Pharmaniaga's  
4 Motion to Confirm and EHL's Cross-Motion to Vacate should be consolidated;

5 NOW, THEREFORE, the parties hereby stipulate and request that the Court order as  
6 follows:

7 On February 22, 2018, Pharmaniaga will file one brief responding to the arguments  
8 raised in EHL's Cross-Motion to Vacate and Memorandum of Points and Authorities Opposing  
9 the Motion for Confirmation and Supporting the Cross-Motion to Vacate, but will not file a  
10 separate reply brief in support of the pending Motion for Confirmation;

11 On February 22, 2018, Pharmaniaga will file an opposition to EHL's Motion to Dismiss;

12 On March 1, 2018, EHL will file a reply in support of its Cross-Motion to Vacate; and

13 On March 1, 2018, EHL will file a reply in support of its Motion to Dismiss.

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15 **IT IS SO STIPULATED.**

16 Dated: February 15, 2018

LATHAM & WATKINS LLP

17 By: /s/ Melanie M. Blunski

18 Melanie M. Blunski  
19 Attorneys for Petitioner  
20 Pharmaniaga Berhad

21 Dated: February 15, 2018

DENTONS US LLP

22 By: /s/ Andrew S. Azarmi

23 (as authorized on February 14, 2018)  
24 Andrew S. Azarmi  
25 Attorneys for Respondent  
26 E\*HealthLine.com, Inc.  
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1 **ORDER**

2 Pursuant to the stipulation of the parties and good cause appearing, the Court orders the  
3 following briefing schedule:

4 On February 22, 2018, Pharmaniaga shall file one brief responding to the arguments  
5 raised in EHL’s Cross-Motion to Vacate and Memorandum of Points and Authorities Opposing  
6 the Motion for Confirmation and Supporting the Cross-Motion to Vacate, but will not file a  
7 separate reply brief in support of the pending Motion for Confirmation. Plaintiff’s brief shall not  
8 exceed ten (10) pages.

9 On February 22, 2018, Pharmaniaga shall file an opposition to EHL’s Motion to Dismiss,  
10 not to exceed twenty (20) pages.

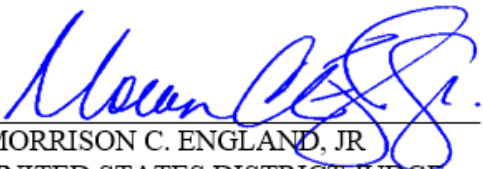
11 On March 1, 2018, EHL shall file a reply in support of its Cross-Motion to Vacate, not to  
12 exceed five (5) pages; and

13 On March 1, 2018, EHL shall file a reply in support of its Motion to Dismiss, not to  
14 exceed ten (10) pages.

15 As these matters have already been submitted, the Court will consider all filings together  
16 and will issue a ruling upon consideration of both parties’ complete briefing.

17 IT IS SO ORDERED.

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19 Dated: February 21, 2018

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22 MORRISON C. ENGLAND, JR.  
23 UNITED STATES DISTRICT JUDGE  
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