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19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 SAN FRANCISCO DIVISION

22 UNITED STATES <i>ex rel.</i> STROM,	)	No. C 05-3004 CRB (JSC)
23	)	
24 Plaintiffs,	)	<b>STIPULATION REGARDING</b>
25	)	<b>PRODUCTION OF CLAIMS DATA</b>
26 v.	)	<b>AND EXPERT DISCOVERY</b>
27	)	
28 SCIOS, INC. and	)	
JOHNSON & JOHNSON,	)	
Defendants.	)	

STIPULATION REGARDING PRODUCTION OF CLAIMS DATA AND EXPERT DISCOVERY, No. C 05-3004 CRB (JSC)

1           WHEREAS on December 1, 2011, the Court granted Defendants Scios Inc. and Johnson  
2 & Johnson’s (collectively “Defendants”) motion to compel the production of inpatient and  
3 outpatient claims data from Medicare, TRICARE, and FEHBP from January 1, 2001 to  
4 December 31, 2007 for each patient ID number for which the government alleges a false claim  
5 was submitted. (Docket No. 171).

6           WHEREAS at the December 1, 2011 hearing on Defendants’ motion to compel, Judge  
7 Corley instructed the parties to meet and confer in order to reach a stipulation regarding the  
8 timing for production of the claims data, and a revised schedule for expert discovery.

9           WHEREAS the parties have met and conferred extensively regarding the timing for  
10 production of the claims data, and a revised schedule for expert discovery.

11           WHEREAS the revised schedule for expert discovery set forth below will affect the  
12 current dates for dispositive motions. Accordingly, the parties will submit a separate stipulation  
13 and order to District Judge Charles R. Breyer regarding dates for dispositive motions and trial, or  
14 request a Case Management Conference before him to set such dates.

15           Subject to the Court’s approval, IT IS HEREBY STIPULATED AND AGREED by the  
16 Parties, through their undersigned counsel of record, that:

- 17 1.       The United States shall produce the claims data it has been ordered to produce to  
18 Defendants no later than February 15, 2012.
- 19 2.       The parties shall produce rebuttal expert reports no later than May 1, 2012.
- 20 3.       The United States shall produce rebuttal reports responding to Defendants’ experts’  
21 discussion of and opinions regarding the claims data no later than June 15, 2012.

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