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18 Attorneys for the United States of America

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 SAN FRANCISCO DIVISION

22 UNITED STATES *ex rel.* STROM,

23 Plaintiffs,

24 v.

25 SCIOS, INC. and

26 JOHNSON & JOHNSON,

27 Defendants.

) No. C 05-3004 CRB (JSC)

) **STIPULATION REGARDING**
) **CASE SCHEDULE**

1 WHEREAS on December 1, 2011, Magistrate Judge Jacqueline Scott Corley granted
2 Defendants Scios Inc. and Johnson & Johnson's (collectively, Defendants) motion to compel the
3 production of certain claims data from the Medicare, TRICARE, and FEHBP programs (Docket
4 No. 171).

5 WHEREAS pursuant to Judge Corley's instruction, the parties met and conferred and
6 reached a stipulation regarding the timing for production of the claims data, and a revised
7 schedule for expert discovery.

8 WHEREAS on January 3, 2012, Judge Corley accepted the parties' stipulation and
9 ordered the deadline for completing expert discovery extended to July 31, 2012 (Docket No.
10 176).

11 WHEREAS the parties anticipate filing dispositive motions.

12 WHEREAS Defendants anticipate citing expert opinions in support of one or more of
13 their dispositive motions.

14 WHEREAS by prior order of this Court (Docket No. 86), the deadline for hearing
15 dispositive motions is April 6, 2012, which is several months prior to the new deadline for
16 completing expert discovery.

17 WHEREAS no pretrial or trial dates have been set in this case.

18 WHEREAS, assuming the shortened 9:00 a.m. to 12:00 noon trial day contemplated by
19 Judge Breyer's standing order, the United States estimates that the trial will take seven weeks and
20 Defendants estimate that the trial will take eight weeks.

21 Subject to the Court's approval, IT IS HEREBY STIPULATED AND AGREED by the
22 Parties, through their undersigned counsel of record, that:

- 23 1. The deadline for filing dispositive motions shall be August 15, 2012.
- 24 2. The last day for hearing dispositive motions shall be September 21, 2012.
- 25 3. The pretrial conference shall be October 16, 2012.
- 26 4. Trial shall commence on October 22, 2012.

27 IT IS SO STIPULATED.

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Respectfully submitted,

TONY WEST
Assistant Attorney General

JOSHUA B. EATON
Attorney for the United States, Acting
Under Authority Conferred by 28 U.S.C. §515

Dated: January 17, 2012

By: /s/ signature on file
SARA WINSLOW
JULIE A. ARBUCKLE
THOMAS R. GREEN
Assistant United States Attorneys

Dated: January 17, 2012

By: /s/ signature on file
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Dated: January 17, 2012

By: /s/ signature on file
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LLP

Dated: January 17, 2012

By: /s/ signature on file
JOHN POTTER, Esq.
DIANE DOOLITTLE, Esq.
NICOLE ALTMAN, Esq.
Attorneys for Defendants Scios, Inc. and
Johnson & Johnson Inc.

~~PROPOSED~~ ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated: Jan. 18, 2012

CHARLES R. BREYER
United States District Judge

