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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

COUNTY OF SANTA CLARA, on behalf
of itself and all others similarly situated,

No. C 05-03740 WHA

Plaintiff,

**ORDER REGARDING
SCHEDULE**

v.

ASTRA USA, INC.; ASTRAZENECA
PHARMACEUTICALS LP; AVENTIS
PHARMACEUTICALS, INC.; BAYER
CORP.; BRISTOL-MYERS SQUIBB CO.;
PFIZER, INC.; SCHERING-PLOUGH
CORP.; SMITHKLINE BEECHAM
CORP.; TAP PHARMACEUTICAL
PRODUCTS, INC.; WYETH, INC.;
WYETH PHARMACEUTICALS, INC.;
ZENECA, INC.; ZLB BEHRING LLC; and
DOES 1 through 100, inclusive,

Defendants.

On October 1, 2009, a case management conference was held to address the parties' joint request to modify the case management schedule in light of issues pending before the Ninth Circuit on interlocutory appeal in this action. At the conclusion of the hearing, the Court indicated that it was considering two proposed schedules for proceeding and invited the parties to submit comments on those proposals and offer alternative plans if they so chose. The Court has reviewed the parties' comments and hereby **ORDERS** that the case management schedule be modified as follows:

1. As to all parties, fact discovery will go forward until it is closed on October 30, 2009, as previously set in the second case management order, with the following

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exception: Plaintiff is granted a stay in discovery as to responding to defendants' Interrogatory No. 1 with respect to all non-Bayer defendants.

2. All motions to compel before Magistrate Judge Chen will remain on calendar to be decided as previously scheduled.
3. The action as to defendant Bayer Corporation will continue to proceed in accordance with the schedule previously set in the second case management order.
4. As to all other defendants, all proceedings except as described above are stayed pending further order of the Court. Expert reports, summary judgment motions and trial as to non-Bayer defendants are all stayed pending further order.

IT IS SO ORDERED.

Dated: October 5, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE