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18 ALZA CORPORATION

19 UNITED STATES DISTRICT COURT

20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21  
22 UNITED FOOD AND COMMERCIAL  
WORKERS UNION AND EMPLOYERS  
23 MIDWEST HEALTH BENEFITS FUND, on  
behalf of itself and all others similarly situated,

24 Plaintiffs,

25 v.

26 ALZA CORPORATION, a California  
27 Corporation,

28 Defendant.

CASE NO. C-06-0314 (JSW)

**STIPULATION AND [PROPOSED]  
ORDER SETTING DATES FOR MOTION  
TO STAY AND CASE MANAGEMENT  
CONFERENCE**

Assigned to Honorable Jeffrey S. White  
Case Filed: January 18, 2006

1 PLUMBERS AND PIPEFITTERS LOCAL 572  
2 HEALTH AND WELFARE FUND, on behalf of  
3 itself and all others similarly situated,

4 Plaintiffs,

5 v.

6 ALZA CORPORATION, a California  
7 Corporation,

8 Defendant.

CASE NO. C-06-1074 (JSW)

Assigned to Honorable Jeffrey S. White  
Case Filed: February 15, 2006

9 AND RELATED ACTIONS

10 On February 14, 2006, the Court entered an order relating the *United Food and Commercial*  
11 *Workers Union and Employers Midwest Health Benefits Fund v. Alza Corp.*, Case No. 06-0314  
12 (JSW) (“*UFCW* action”) to two earlier-filed actions pending before Judge Jeffrey S. White (*City of*  
13 *Fargo Health Trust Fund v. Alza Corp.*, C-05-4684 (JSW), and *Local 28 Sheet Metal Workers v. Alza*  
14 *Corp.*, C-05-4758 (JSW) (“the Related Cases”). See Order (2/14/06), p. 1. On February 23, 2006,  
15 the Court entered an order relating the *Plumbers and Pipefitters Local 572 Health and Welfare Fund*  
16 *v. Alza Corp.*, Case No. 06-1074 (JSW) (“*Local 572* action”) to the *UFCW* action and the Related  
17 Cases. See Order (2/23/06), p. 1. Upon reassignment, the dates scheduled for all previously filed  
18 motions and the Case Management Conference (“CMC”) were vacated. *Id.*; Order (2/14/06).

19 Plaintiffs in the *UFCW* action and the *Local 572* action, and Defendant Alza Corporation  
20 (“Alza”), by and through their counsel of record, have met and conferred in good faith to reschedule  
21 the hearing dates in this Department for: (i) a Motion to Stay Action Pending Ruling by Multidistrict  
22 Litigation Panel (“Motion to Stay”); and (ii) the CMC. Because the Motion to Stay that was  
23 previously filed in the *UFCW* action (and expected in the *Local 572* action) is identical to a motion  
24 already pending in the Related Cases, the parties request that the hearing date and briefing be set to  
25 coincide with the other motion in the Related Cases. Similarly, the parties request that the CMC in  
26 the *UFCW* action and the *Local 572* action be set to coincide with the CMC already scheduled in the  
27 Related Cases.

28 THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

1 1. Motion to Stay. Defendant Alza's previously filed Motion to Stay in the *UFCW* action  
2 and in the Related Cases shall be deemed filed and served as against Plaintiffs in the *UFCW* action  
3 and the *Local 572* action. The hearing date on the Motion to Stay shall be April 7, 2006, at 9:00 a.m.  
4 The briefing schedule for the Motion to Stay shall be reset according to the Order issued by Judge  
5 White in the Related Cases, as follows: Oppositions to the Motion to Stay shall be due on  
6 February 24, 2006, and Alza's reply shall be due on March 3, 2006.

7 2. Case Management Conference. The Case Management Conference in the *UFCW*  
8 action and the *Local 572* action shall be conducted on April 7, 2006, at 9:00 a.m. (following the  
9 hearing on the Motion to Stay). The joint case management statement and proposed order for the  
10 CMC shall be due on March 31, 2006.

11 Dated: February 23, 2006 KERSHAW, CUTTER & RATINOFF LLP

12  
13 By: Mark J. Jamblyn  
14 Mark J. Jamblyn

15 Attorneys for Plaintiffs  
16 UNITED FOOD AND COMMERCIAL  
17 WORKERS UNIONS AND EMPLOYERS  
18 MIDWEST HEALTH BENEFITS FUND and  
19 the Class, and PLUMBERS AND PIPEFITTERS  
20 LOCAL 572 HEALTH AND WELFARE FUND  
21 and the Class

22 Dated: February 23, 2006 GIBSON, DUNN & CRUTCHER LLP

23 By: Michael A. Sitzman  
24 Michael A. Sitzman

25 Attorneys for Defendant  
26 ALZA CORPORATION

27 The hearing on the motion to stay in 06-0314 is HERBY SET for April 7, 2006 at 9:00 a.m. The  
28 Case Management Conferences in 06-0314 and 06-1074 shall be held on April 7, 2006 immediately  
following the hearing on the motions to stay.  
**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

29 Dated: February March 1, 2006  
30 Jeffrey S. White  
31 Honorable Jeffrey S. White  
32 United States District Judge

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