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7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

9 DEBORAH JANE JARRETT, NANCY)
 ISENHOWER, AND JEFFREY H.)
 10 FRANKEL,)
 11)
 Plaintiffs,)

Case No. 3:08-cv-02376-MHP
 Judge Marilyn H. Patel

12 v.)

13 INTERMUNE INC., W. SCOTT)
 14 HARKONEN AND GENENTECH, INC.,)
 15)
 Defendants.)

16 LINDA K. RYBKOSKI, on behalf of herself)
 and others similarly situated,)
 17)
 Plaintiff,)

THIS DOCUMENT RELATES TO:
 No. 3:08-cv-02916-MHP
 Judge Marilyn H. Patel

18 v.)

19 INTERMUNE, INC., W. SCOTT)
 20 HARKONEN, AND GENENTECH, INC.,)
 21)
 Defendants.)

22 ZURICH AMERICAN INSURANCE)
 COMPANY,)
 23)
 Plaintiff,)

Case No. 3:08-cv-3797-MHP
 Judge Marilyn H. Patel

24 v.)

25)
 26 GENENTECH, INC., INTERMUNE, INC.,)
 and W. SCOTT HARKONEN,)
 27)
 Defendants.)

1 **STIPULATION AND [PROPOSED] ORDER ALLOWING THE FILING**
2 **OF THE JOAN M. STEVENS TRUST DOCUMENTS UNDER SEAL**
3 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

4 IT IS HEREBY STIPULATED AND AGREED, by and among the parties listed below,
5 by their undersigned counsel, as follows:

6 WHEREAS, Plaintiff Joan M. Stevens asserted claims for violations of the state and
7 common law of California and other states against Defendants Intermune, Inc., W. Scott
8 Harkonen, and Genentech, Inc. (collectively "Defendants") in the Third Amended Class Action
9 Complaint filed on December 23, 2009;

10 WHEREAS, Ms. Stevens also sought appointment as a class representative in the Third
11 Amended Complaint because she was a consumer who made out-of-pocket payments for the
12 prescription medication Actimmune;

13 WHEREAS, Ms. Stevens died during the pendency of this action on December 22, 2009;

14 WHEREAS, Ms. Stevens, prior to her death, established the Joan M. Stevens Trust (the
15 "Trust"), and upon her death, directed that all of her assets be transferred to the Trust;

16 WHEREAS, the Trust wishes to continue pursuing Ms. Stevens' claims against the
17 Defendants in that capacity and substitute into this action for Ms. Stevens;

18 WHEREAS, in support the motion to substitute the Trust for Ms. Stevens, Plaintiffs seek
19 to file certain of the Trust Documents with the Court under seal;

20 WHEREAS, the Trust Documents which the Plaintiffs seek to file under seal address the
21 private affairs of Plaintiff Joan M. Stevens that are not at issue in this case,

22 WHEREAS the Trust Documents which the Plaintiffs seek to file under seal have been
23 presented to the Defendants in confidence; and

24 WHEREAS, after reviewing the Trust Documents, none of the Defendants oppose the
25 filing of the Trust Documents under seal;

26 NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED THAT:

27 Plaintiffs be and hereby are given leave to file the Trust Documents under seal.

1 Dated: May 21, 2010

Respectfully submitted

2 Hagens Berman Sobol Shapiro LLP

William & Connolly LLP

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By: /s/ Gerson A. Zweifach

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ORDER

The above stipulation having been considered and good cause appearing therefore,
PURSUANT TO STIPULATION, IT IS SO ORDERED.

San Francisco, California, this 25th day of May, 2010.



Mailing Information for a Case 3:08-cv-02376-MHP

Electronic Mail Notice List

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Manual Notice List

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