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5 Attorneys for Defendant
 BAYER HEALTHCARE PHARMACEUTICALS,
 6 INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION
 11

12 THEODORE EAZER and SUE EAZER,

13 Plaintiffs,

14 v.

15 BAYER HEALTHCARE
 PHARMACEUTICALS, INC.; BAYER
 16 SCHERING PHARMA AG; GE
 HEALTHCARE, INC.; GE
 17 HEALTHCARE AS; MALLINCKRODT,
 INC.; and BRACCO DIAGNOSTICS,
 18 INC.,

19 Defendants.
 20

Case No. CV 09 4732 EMC

**STIPULATION OF PLAINTIFFS AND
 DEFENDANT BAYER HEALTHCARE
 PHARMACEUTICALS, INC. TO EXTEND
 TIME FOR DEFENDANT TO FILE A
 RESPONSIVE PLEADING ; ORDER**

21 Pursuant to Local Rule 6-1 of the United States District Court for the Northern District of
 22 California, and based on the agreement between counsel for Plaintiffs Theodore and Sue Eazer
 23 and Defendant Bayer Healthcare Pharmaceuticals, Inc., it is hereby stipulated as follows:

24 The parties agree that the period of time within which Defendant Bayer Healthcare
 25 Pharmaceuticals, Inc. may answer or otherwise respond to the Complaint is extended until after
 26 the case is transferred to *In Re: Gadolinium Based Contrast Agents Products Liability Litigation*,
 27 MDL No. 1909, Case No. 1:09-gd-50000-DAP (“MDL”), pending in the United States District
 28 Court of the Northern District of Ohio. Upon transfer, Defendant Bayer Healthcare

1 Pharmaceutical, Inc's obligation to file a responsive pleading will be governed by Case
2 Management Order No. 5 issued in the MDL.

3
4 Dated: November 3, 2009

DRINKER BIDDLE & REATH LLP

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6 By: /s/ Rodney M Hudson
7 Rodney M. Hudson

8 Attorneys for Defendants
9 BAYER HEALTHCARE
PHARMACEUTICALS, INC.

10 Dated: November 3, 2009

LEVIN SIMES KAISER & GORNICK LLP

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12 By: /s/ Laura Brandenburg
13 Laura Brandenburg

14 Attorneys for Plaintiffs
15 THEODORE EAZER and SUE EAZER

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17 IT IS SO ORDERED:

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19
20 Edward M. Chen
21 U.S. Magistrate Judge

