

1 RICHARD G. ROSENBLATT (*Admitted Pro Hac Vice*)
 MORGAN, LEWIS & BOCKIUS LLP
 2 502 Carnegie Center
 Princeton, NJ 08540-6241
 3 Telephone: 609.919.6609
 Facsimile: 609.919.6701
 4 E-mail: rrosenblatt@morganlewis.com

5 LINDSEY K. SCHROEDER, State Bar No. 245425
 MORGAN, LEWIS & BOCKIUS LLP
 6 2 Palo Alto Square
 3000 El Camino Real, Suite 700
 7 Palo Alto, CA 94306-2122
 Telephone: 650.843.4000
 8 Facsimile: 650.843.4001
 E-mail: lschroeder@morganlewis.com

9 Attorneys for Defendant
 10 SANOFI-AVENTIS U.S. LLC

11 RICHARD A. HOYER, State Bar No. 151931
 12 LAW OFFICES OF RICHARD A. HOYER
 240 Stockton Street, 9th Floor
 13 San Francisco, CA 94108
 Telephone: 415.956.1360
 14 Facsimile: 415.276.1738
 15 E-mail: rah@wpglaw.com

16 Attorneys for Plaintiff
 17 J. ALETH GUIRIBA

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20
 21 J. ALETH GUIRIBA, an individual
 Plaintiff,
 22
 vs.
 23
 24 SANOFI-AVENTIS, a Corporation,
 Defendants.
 25

Case No. 3:09-CV-05131-JSW
**STIPULATION AND ~~PROPOSED~~
 ORDER MODIFYING CASE DEADLINES**

28

1 Plaintiff J. Aleth Guiriba (“Plaintiff”) and Defendant sanofi-aventis U.S. LLC (“sanofi-
2 aventis”), the parties to the above-entitled action (collectively referred to herein as the “Parties”),
3 submit this Stipulation to the Court pursuant to Civil L. R. 7-1(a)(5) and 7-12:

4 **STIPULATION**

5 WHEREAS, on February 22, 2010, the Court issued an Order Scheduling Trial and
6 Pretrial Matters (“Order”) for this action;

7 WHEREAS, the Order refers this action to court-connected mediation, to be conducted by
8 July 2, 2010;

9 WHEREAS, the Parties and the court-appointed mediator have scheduled the mediation to
10 take place on June 24, 2010;

11 WHEREAS, per the Order, the deadline for the Court to hear dispositive motions is
12 August 6, 2010, and therefore, per Local Rule 7-2(a), the deadline to file dispositive motions is
13 July 2, 2010, just eight calendar days after the scheduled mediation;

14 WHEREAS, per the Order, the last day for expert discovery, if dispositive motions are
15 filed, is October 31, 2010, a Sunday;

16 WHEREAS, sanofi-aventis anticipates filing a motion for summary judgment and the
17 need to engage in expert discovery related to damages;

18 WHEREAS, the Parties submit that expending the resources required to prepare and
19 oppose a motion for summary judgment and engage in expert discovery related to damages before
20 completion of the mediation could result in an unnecessary waste of resources that might be
21 avoided

22 WHEREAS, the Parties submit that preserving those resources until completion of the
23 mediation could enhance the prospects of resolving this matter at mediation;

24 WHEREAS, the Parties believe that expending the resources required to engage in expert
25 discovery before disposition is rendered on dispositive motions, if filed, would result in a waste of
26 resources and that preserving those resources until disposition is rendered on dispositive motions,
27 if filed, would further the prospects of resolving this matter prior to mediation and/or trial;

28 WHEREAS, the Parties therefore agree to extend the deadline to hear dispositive motions

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

by four weeks;

WHEREAS, the Parties also therefore agree to extend the last day for expert discovery, if dispositive motions are filed, by approximately four weeks;

WHEREAS, trial for this matter has been set for February 7, 2011, and the Parties believe these extensions of time will not affect the trial date;

WHEREAS, no modifications to the deadlines in this action have previously been made,

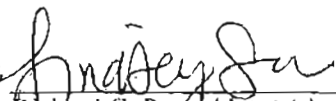
NOW, THEREFORE, Plaintiff and sanofi-aventis, through their undersigned respective counsel, stipulate and request that the Court approve the following revisions to the schedule set forth in the Order.

9/3/10 Last Day to Hear Dispositive Motions

11/26/10 Last Day for Expert Discovery, if dispositive motions are filed

Dated: May 20, 2010

MORGAN, LEWIS & BOCKIUS LLP

By 
Richard G. Rosenblatt (Admitted Pro Hac Vice)
Lindsey K. Schneider
Attorneys for Defendant
SANOFI-AVENTIS U.S. LLC

Dated: May 21, 2010

LAW OFFICES OF RICHARD A. HOYER

By 
Richard A. Hoyer
Attorneys for Plaintiff
J. ALETH GUIRIBA

ORDER

In light of the foregoing STIPULATION of the Parties and very good cause appearing, the Court ORDERS that the deadlines in this case are hereby modified as follows:

9/3/10 ~~9/3/10~~ Last Day to Hear Dispositive Motions

11/26/10 ~~11/26/10~~ Last Day for Expert Discovery, if dispositive motions are filed

MORGAN, LEWIS & BOCKIUS LLP
ATTORNEYS AT LAW

DS100731751

1 To avoid prejudice to both Parties, ~~very~~ GOOD CAUSE exists to modify the deadlines in
2 this action as described herein.

3 PURSUANT TO STIPULATION, IT IS SO ORDERED.

4
5 Dated: June 1, 2010


6 HON. JEFFREY S. WHITE
7 U.S. District Court Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28