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20 Attorneys for Defendants  
 21 Mylan Inc.; Mylan Pharmaceuticals Inc.; Mylan  
 22 Technologies Inc.

23 UNITED STATES DISTRICT COURT  
 24 NORTHERN DISTRICT OF CALIFORNIA

25 LINDA FRISBY-CADILLO,

26 Plaintiff,

27 v.

28 MYLAN, INC.;  
 MYLAN PHARMACEUTICALS, INC.; and  
 MYLAN TECHNOLOGIES, INC.,

Defendants.

CASE NO. 3:09-cv-05816-SI

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE THE  
 HEARING ON THE MOTION FOR  
 SUMMARY JUDGMENT OR, IN THE  
 ALTERNATIVE, SUMMARY  
 ADJUDICATION, AND DAUBERT  
 MOTIONS**

Date: December 9, 2011  
 Time: 9:00 a.m.  
 Crtrm: 10  
 Judge: Susan Illston

WHEREAS, on October 28, 2011 Defendants Mylan Inc., Mylan Pharmaceuticals Inc.,  
 and Mylan Technologies Inc. (hereinafter collectively referred to as "Defendants"), filed their

1 Motion for Summary Judgment, or in the Alternative, Summary Adjudication (hereinafter  
2 referred to as “Motion for Summary Judgment”);

3 WHEREAS, the Court’s original scheduling order required Plaintiff Linda Frisby-  
4 Cadillo’s (hereinafter referred to as “Plaintiff”) response to Defendants’ Motion for Summary  
5 Judgment to be filed on November 4, 2011, and Defendants’ reply thereto to be filed on  
6 November 21, 2011;

7 WHEREAS, on November 2, 2011, Plaintiff filed an Unopposed Motion to Alter the  
8 Summary Judgment Briefing Deadlines, wherein she requested that the Court modify the Motion  
9 for Summary Judgment deadlines to the following:

- 10 1) Plaintiff’s response due on November 18, 2011, and
- 11 2) Defendants’ reply due on November 25, 2011;

12 WHEREAS, on November 3, 2011, the Court granted Plaintiff’s Unopposed Motion to  
13 Alter the Summary Judgment Briefing Deadlines;

14 WHEREAS, on that same date, the Court, sua sponte, reset the hearing date for the  
15 Motion for Summary Judgment to December 9, 2011;

16 WHEREAS, on December 9, 2011, the Court is also scheduled to hear Defendants’  
17 Motion to Preclude the Testimony of Iain McIntyre, P.h.D., Motion to Exclude the Testimony of  
18 Bozena Michniak-Kohn, and Motion to Exclude The Testimony of Suzanne Parisian (herein  
19 collectively referred to as “Daubert Motions”); and

20 WHEREAS, the parties will be partaking in settlement negotiations on December 8, 2011,  
21 in Pittsburgh, Pennsylvania, and hope to come to a resolution that will render the December 9,  
22 2011 hearings unnecessary.

23 THEREFORE, the parties hereby agree and stipulate, and respectfully request, that the  
24 Court continue the hearing on both the Motion for Summary Judgment and the Daubert Motions  
25 to **January 13, 2012**.

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DATED: December 6, 2011

PIETRAGALLO GORDON ALFANO BOSICK &  
RASPANTI, LLP

By: /s/ Clem C. Trischler  
Clem C. Trischler,  
Admitted Pro Hac Vice  
Attorneys for Defendants  
Mylan Inc.; Mylan Pharmaceuticals Inc.; and Mylan  
Technologies Inc.

DATED: December 6, 2011

HEYGOOD ORR & PEARSON

By: /s/ Eric D. Pearson (authorized on 12/6/11)  
Eric D. Pearson  
Attorney for Plaintiff Linda Frisby-Cadillo

IT IS SO ORDERED.

Dated: 12/7/11



United States District Judge