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11  
 12 UNITED STATES DISTRICT COURT  
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 14

15 WILLIAM F. SLATTERY,  
 16

17 Plaintiff,

18 vs.

19 JOHNSON & JOHNSON; ORTHO-  
 MCNEIL PHARMACEUTICAL, INC.;  
 20 JOHNSON & JOHNSON  
 PHARMACEUTICAL RESEARCH &  
 21 DEVELOPMENT, LLC,

22 Defendants

) Case No.: 10-cv-0044

) **STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE AND  
 RELATED DEADLINES; and ORDER**

23  
 24 COMES NOW Plaintiff WILLIAM F. SLATTERY ("Plaintiff") and Defendants JOHNSON  
 25 & JOHNSON; ORTHO-MCNEIL PHARMACEUTICAL, INC.; JOHNSON & JOHNSON  
 26 PHARMACEUTICAL RESEARCH & DEVELOPMENT, LLC, and file this STIPULATION  
 27  
 28

1 TO CONTINUE CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES.

2 The Parties would respectfully show the Court the following:

3 1. This case is a product liability involving Levaquin®. Plaintiff has sued  
4 JOHNSON & JOHNSON; ORTHO-MCNEIL PHARMACEUTICAL, INC.; JOHNSON &  
5 JOHNSON PHARMACEUTICAL RESEARCH & DEVELOPMENT, LLC.  
6

7 2. This Court has previously entered an Order for Parties to attend a  
8 Scheduling Conference on April 21, 2010. Defendants have been recently served and  
9 have answered.

10 3. The United States Judicial Panel on Multidistrict Litigation ordered the  
11 transfer of federal actions that concern Levaquin® to the United States District Court for  
12 the District of Minnesota before the Honorable John Tunheim, as Multidistrict Litigation  
13 No. 08-MD-1943. The Levaquin MDL is active and now includes more than 300 cases  
14 and growing.  
15

16 4. The Parties anticipate that this action will likewise be transferred to the  
17 MDL as a "Tag Along Action" pursuant to Rule 7.4 of the Rules of Procedure of the  
18 Judicial Panel on Multidistrict Litigation. A Notice of Potential Tag-Along was received  
19 by the JPML on March 22, 2010 (see attached). As such, the Parties request that that  
20 the Court continue the Initial Case Management (and corresponding deadlines) to a  
21 date that is approximately 90 days hence. This should allow for conclusion of the  
22 transfer of this case to the United States District Court for the District of Minnesota, and  
23 avoid wasted party and judicial resources.  
24  
25  
26  
27

28 /s/ John J. Powers  
JOHN J. POWERS  
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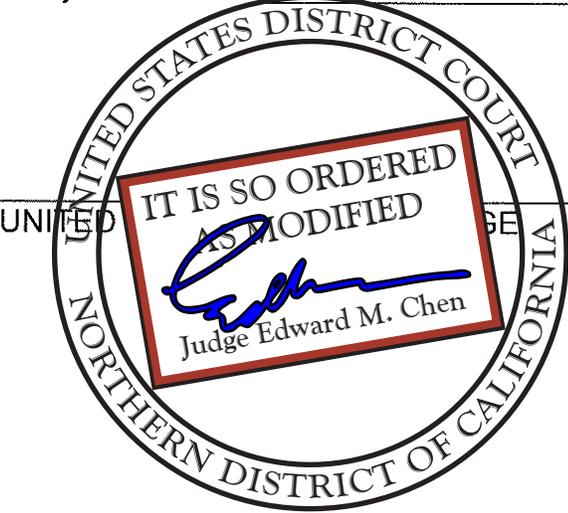
          /s/            
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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Initial case management conference is hereby continued to: 7/21/10 at 1:30 p.m.

Dated:           4/2/10          





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March 19, 2010

RECEIVED

MAR 22 2010

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

FILED

MAR 22 2010

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

Via Overnight Delivery

Jeffery N. Luthi, Clerk  
Judicial Panel on Multidistrict Litigation  
Thurgood Marshall Federal Judiciary Building  
One Columbus Circle, NE  
Room G-255, North Lobby  
Washington, D.C. 20002

Re: In re Levaquin Products Liability Litigation, MDL 1943  
Joy Allen v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0043; - *EDL*  
Christine Ellen Bell v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0042; - *EDL*  
Iris Berman v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0046; - *EDL*  
Tammy L. Hoffmann v. Johnson & Johnson, et al., USDC, Northern District  
of California, No. 10 cv 0045; - *JCS*  
Charles R. Hoover v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0047; - *EMC*  
William F. Slattery v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0044; - *EMC*  
James Willis v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0041; and *BZ*  
Marvina Hoots v. Johnson & Johnson, et al., USDC, Northern District of  
California, No. 10 cv 0119 - *PJH*

Dear Mr. Lüthi:

Enclosed please find an original and one copy of the following on behalf of Defendants Johnson & Johnson, Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Johnson & Johnson Pharmaceutical Research & Development, LLC in the above-mentioned matter:

1. Notice of Potential Tag-Along Action with a copy of the Complaint; and
2. Certification of Service.

Please file the originals and return a filed-stamped copy to me in the enclosed self-addressed, stamped envelope.

Established 1849

DrinkerBiddle&Reath

Jeffery N. Luthi  
March 19, 2010  
Page 2

Thank you for your time and attention in this matter. Please do not hesitate to call me at (312) 569-1497 if there are any problems or concerns.

Very truly yours,



William V. Essig

WVE/bjt  
Enclosures  
cc: All Counsel of Record (w/enclosures)

**BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION**

<b>IN RE: LEVAQUIN PRODUCTS LIABILITY LITIGATION</b>	: : : : :	<b>MDL DOCKET NO. 1943</b>
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**NOTICE OF POTENTIAL TAG-ALONG ACTIONS**

Defendants Johnson & Johnson, Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Johnson & Johnson Pharmaceutical Research & Development, LLC, hereby give notice of the following related and potential tag-along actions that Defendants have become aware of and request be included in MDL 1943.

CAPTION and CIVIL ACTION NO.	DISTRICT COURT and DIVISION	DATE OF COMPLAINT	JUDGE
<b>Joy Allen v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.;</b> <b>Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00043	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Elizabeth D. Laporte
<b>Christine Ellen Bell v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00042	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Elizabeth D. Laporte

CAPTION and CIVIL ACTION NO.	DISTRICT COURT and DIVISION	DATE OF COMPLAINT	JUDGE
<b>Iris Berman v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00046	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Elizabeth D. Laporte
<b>Tammy L. Hoffmann v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00045	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Joseph C. Spero
<b>Charles R. Hoover v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00047	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Edward M. Chen
<b>William F. Slattery v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00044	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Edward M. Chen
<b>James Willis v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00041	USDC, Northern District of California, San Francisco Division	01/06/10	Magistrate Judge Bernard Zimmerman
<b>Marvina Hoots v. Johnson &amp; Johnson; Ortho-McNeil Pharmaceutical, Inc.; Johnson &amp; Johnson Pharmaceutical Research &amp; Development, LLC</b>  Civil Action No. 10 cv 00119	USDC, Northern District of California, Oakland Division	01/11/10	Judge Phyllis J. Hamilton

Dated: March 19, 2010

Respectfully submitted,

By: \_\_\_\_\_

  
One of the Attorneys for Defendants  
JOHNSON & JOHNSON, ORTHO-MCNEIL-  
JANSSEN PHARMACEUTICALS, INC., and  
JOHNSON & JOHNSON PHARMACEUTICAL  
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**BEFORE THE JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION**

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**IN RE: LEVAQUIN PRODUCTS  
LIABILITY LITIGATION**

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:  
: **MDL DOCKET NO. 1943**  
:  
:

**CERTIFICATION OF SERVICE**

I, William V. Essig, hereby certify that on March 19, 2010, I caused to be served a true and correct copy of Johnson & Johnson, Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Johnson & Johnson Pharmaceutical Research & Development, LLC's Notice of Potential Tag-Along Actions upon all counsel identified on the attached Panel Attorney Service List and Supplemental Service List by regular mail.

Dated: March 19, 2010

Respectfully submitted,



---

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Attorneys for Defendants  
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PHARMACEUTICALS, INC., and JOHNSON &  
JOHNSON PHARMACEUTICAL RESEARCH &  
DEVELOPMENT, LLC

**Judicial Panel on Multidistrict Litigation - Panel Attorney Service List**

Page 1

Docket: 1943 - IN RE: Levaquin Products Liability Litigation

Status: Transferred on 06/13/2008

Transference District: MN Judge: Tunheim, John R.

Printed on 08/01/2008

**ATTORNEY - FIRM**

**REPRESENTED PARTY(S)**

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Johnson, Sharon\*; Karkoska, Edward\*; Kirkes, Richard\*; Laufenberg, William\*; Parr, Victoria\*;  
Poirier, Lorraine\*; Roxenberg, Donald\*; Shaffer, Aline\*; Voss, William\*; Wampler, Harold\*;  
Zeiler, Carlton J.\*

Joy Allen v. Johnson & Johnson, et al., USDC, Northern District of California, No. 10 cv 0043;  
Christine Ellen Bell v. Johnson & Johnson, et al., USDC, Northern District of California,  
No. 10 cv 0042;  
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William F. Slattery v. Johnson & Johnson, et al., USDC, Northern District of California,  
No. 10 cv 0044;  
James Willis v. Johnson & Johnson, et al., USDC, Northern District of California,  
No. 10 cv 0041; and  
Marvina Hoots v. Johnson & Johnson, et al., USDC, Northern District of California,  
No. 10 cv 0119

**SUPPLEMENTAL SERVICE LIST**

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