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12	Attorneys for Defendant ELI LILLY AND COMPANY		
13		DISTRICT COURT	
14	NORTHERN DISTR	ICT OF CALIFORNIA	
15	SAN FRANCISCO DIVISION		
16			
17	LALZHEIMER'S INSTITUTE OF AMERICA	Uase NO 5 TU-U V-UU487 (UKB)	
17	ALZHEIMER'S INSTITUTE OF AMERICA, INC.,	Case No. 3:10-CV-00482 (CRB)	
17		STIPULATION AND [PROPOSED] ORDER REQUESTING CONTINUANCE	
	INC.,	STIPULATION AND [PROPESED]	
18 19	INC., Plaintiff, vs. ELAN PHARMACEUTICALS, INC.,	STIPULATION AND [PROPOSED] ORDER REQUESTING CONTINUANCE OF HEARING ON DEFENDANT ELI LILLY AND COMPANY'S MOTION TO	
18 19	INC., Plaintiff, vs. ELAN PHARMACEUTICALS, INC., ELI LILLY AND COMPANY, ANASPEC INC., IMMUNO-BIOLOGICAL LABORATORIES,	STIPULATION AND [PROPOSED] ORDER REQUESTING CONTINUANCE OF HEARING ON DEFENDANT ELI LILLY AND COMPANY'S MOTION TO SEVER AND TRANSFER [Filed pursuant to Civil L.R. 6-2]	
18 19 20	INC., Plaintiff, vs. ELAN PHARMACEUTICALS, INC., ELI LILLY AND COMPANY, ANASPEC INC., IMMUNO-BIOLOGICAL LABORATORIES, INC., THE JACKSON LABORATORY, PHOENIX PHARMACEUTICALS, INC., and	STIPULATION AND [PROPOSED] ORDER REQUESTING CONTINUANCE OF HEARING ON DEFENDANT ELI LILLY AND COMPANY'S MOTION TO SEVER AND TRANSFER	
18 19 20 21	INC., Plaintiff, vs. ELAN PHARMACEUTICALS, INC., ELI LILLY AND COMPANY, ANASPEC INC., IMMUNO-BIOLOGICAL LABORATORIES, INC., THE JACKSON LABORATORY, PHOENIX PHARMACEUTICALS, INC., and AMERICAN PEPTIDE COMPANY, INC.,	STIPULATION AND [PROPOSES] ORDER REQUESTING CONTINUANCE OF HEARING ON DEFENDANT ELI LILLY AND COMPANY'S MOTION TO SEVER AND TRANSFER [Filed pursuant to Civil L.R. 6-2] Hon. Charles R. Breyer Date: September 3, 2010 Time: 10:00 a.m.	
18 19 20 21 22	INC., Plaintiff, vs. ELAN PHARMACEUTICALS, INC., ELI LILLY AND COMPANY, ANASPEC INC., IMMUNO-BIOLOGICAL LABORATORIES, INC., THE JACKSON LABORATORY, PHOENIX PHARMACEUTICALS, INC., and	STIPULATION AND [PROPOSED] ORDER REQUESTING CONTINUANCE OF HEARING ON DEFENDANT ELI LILLY AND COMPANY'S MOTION TO SEVER AND TRANSFER [Filed pursuant to Civil L.R. 6-2] Hon. Charles R. Breyer Date: September 3, 2010	
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18 19 20 21 22 23 24 25	INC., Plaintiff, vs. ELAN PHARMACEUTICALS, INC., ELI LILLY AND COMPANY, ANASPEC INC., IMMUNO-BIOLOGICAL LABORATORIES, INC., THE JACKSON LABORATORY, PHOENIX PHARMACEUTICALS, INC., and AMERICAN PEPTIDE COMPANY, INC.,	STIPULATION AND [PROPOSES] ORDER REQUESTING CONTINUANCE OF HEARING ON DEFENDANT ELI LILLY AND COMPANY'S MOTION TO SEVER AND TRANSFER [Filed pursuant to Civil L.R. 6-2] Hon. Charles R. Breyer Date: September 3, 2010 Time: 10:00 a.m.	

1	Pursuant to Civil L.R. 6-2, Plaintiff Alzheimer's Institute of America, Inc. ("AIA") and		
2	Defendant Eli Lilly and Company ("Lilly") submit this stipulated request for a continuance of the		
3	hearing on Lilly's Motion to Sever and Transfer.		
4	Lilly filed its Motion on July 30, 2010, noticing a hearing before this Court on September 3,		
5	2010 (Docket No. 85). To eliminate scheduling conflicts relating to the intervening briefing schedule,		
6	AIA and Lilly hereby stipulate to and request a continuance of the hearing on Lilly's Motion to Sever		
7	and Transfer to September 24, 2010, or thereafter, at the convenience of the Court. AIA shall respond		
8	to the Motion to Sever and Transfer not less than 28 days before the hearing date. Lilly shall file its		
9	reply, if any, not less than 14 days before the hearing date, in accordance with Civil Local Rule 7-3(c).		
10	Dated: August 5, 2010	Despectfully submitted	
11	Dated. August 3, 2010	Respectfully submitted,	
12		BRYAN CAVE LLP	
13	By:	/s/ Berrie R. Goldman Robert Padway (Bar No. 48439_	
14		Berrie Goldman (Bar No. 246061) K. Lee Marshall, <i>pro hac vice</i>	
15		Ameer Gado, <i>pro hac vice</i> Bryan Cave LLP	
16		Two Embarcadero Center, Suite 1400 San Francisco, CA 94111	
17		Attorneys for Plaintiff	
18		ALZHEIMER'S INSTITUTE OF AMERICA, INC.	
19		FINNEGAN, HENDERSON, FARABOW,	
20		GARRETT & DUNNER, LLP	
21	By:	/s/Robert F. Shaffer	
22		Robert F. McCauley III, Caliofrnia Bar No. 162056 Robert F. Shaffer, <i>pro hac vice</i>	
23		330 Hillview Aveune Palo Alto, CA 94304-1203	
24		Telephone: (650) 849-6600 Facsimile: (650) 849-6666	
25		Attorneys for Defendant	
26		ELI LILLY AND COMPANY	
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2	I, Berrie R. Goldman, declare as follows:		
3	1. I am an attorney licensed to practice before this Court and all courts of the State of		
4	California. I am an associate with Bryan Cave LLP, counsel for Alzheimer's Institute of America, Inc.		
5	("AIA") in the above-referenced action.		
6	2. The contents of this declaration are based upon my personal knowledge and are true and		
7	correct to the best of my knowledge and belief. If called to testify, I could and would testify thereto.		
8	3. The contents of the foregoing Stipulated Request are true and correct to the best of my		
9	knowledge and belief.		
10	4. Counsel for AIA has scheduling conflicts that interfere with their ability to properly		
11	oppose Lilly's Motion to Sever and Transfer.		
12	5. Counsel for Defendant Eli Lilly and Company ("Lilly"), the only defendant affected by		
13	this request, has stipulated to the requested extension of time.		
14	6. This Court previously granted Lilly's Unopposed Motion to Change Time to Respond		
15	to the First Amended Complaint, extending each defendants' time to answer or otherwise respond by		
16	90 days and continuing the Case Management Conference from May 14, 2010 to August 12, 2010		
17	(Docket No. 26). The Case Management Conference was subsequently continued to October 22, 2010		
18	pursuant to stipulation and order (Docket No. 84).		
19	7. Other than the hearing on Lilly's Motion to Sever and Transfer, no other scheduled		
20	hearings will be affected by this extension.		
21	I declare under penalty of perjury under the laws of the United States that the foregoing is true		
22	and correct.		
23	Dated: August 5, 2010		
24			
25	By: <u>/s/ Berrie R. Goldman</u> Berrie R. Goldman		
26	Deme K. Goldman		
27			
28			

DECLARATION OF BERRIE GOLDMAN IN SUPPORT OF STIPULATED REQUEST

1	[PROPOSED] ORDER		
2	FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED that the stipulated request of		
3	Plaintiff Alzheimer's Institute of America, Inc. ("AIA") and Defendant Eli Lilly and Company		
4	("Lilly") is GRANTED .		
5	1. The hearing on the Motion to Sever and Transfer is continued to September 24,		
6	2010, or thereafter, at the convenience of the court.		
7	2. AIA shall respond to the Motion to Sever and Transfer not less than 28 days		
8	before the hearing date.		
9	3. Lilly shall file its Reply, if any, not less than 14 days before the hearing date, in		
10	accordance with Civil Local Rule 7-3(c).		
11			
12	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
13			
14			
15	Dated: _August 6, 2010		
16	Hon Charles R. Breyer		
17	U.S. District Court Judge Northern Di IT IS SO ORDERED		
18	5 17 18 30		
19	Judge Charles R. Breyer		
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22	DISTRICT OF CES		
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