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5 Attorneys for Defendants
 BAYER HEALTHCARE
 6 PHARMACEUTICALS, INC.

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

12 DAVID MOORE, INDIVIDUALLY AND
 ON BEHALF OF THE ESTATE OF
 13 KATHRYN C MOORE AND ALL
 LEGAL BENEFICIARIES,

14 Plaintiffs,

15 v.

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

20 Defendants.
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Case No. CV 10 3181 EMC

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

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 23 Pursuant to Local Rule 6-1 of the United States District Court for the Northern District of
 24 California, and based on the agreement between counsel for Plaintiff David Moore, individually
 25 and on behalf of the estate of Kathryn Moore and all legal beneficiaries, and Defendant Bayer
 26 Healthcare Pharmaceuticals, Inc., it is hereby stipulated as follows:

27 The parties agree that the period of time within which Defendant Bayer Healthcare
 28 Pharmaceuticals, Inc. may answer or otherwise respond to the Complaint is extended until after

1 the case is transferred to *In Re: Gadolinium Based Contrast Agents Products Liability Litigation*,
2 MDL No. 1909, Case No. 1:09-gd-50000-DAP (“MDL”), pending in the United States District
3 Court of the Northern District of Ohio. Upon transfer, Defendant Bayer Healthcare
4 Pharmaceutical, Inc.’s obligation to file a responsive pleading will be governed by Case
5 Management Order No. 5 issued in the MDL.

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7 Dated: August 11, 2010

DRINKER BIDDLE & REATH LLP

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

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Attorneys for Defendants
BAYER HEALTHCARE
PHARMACEUTICALS, INC.

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Dated: August 11, 2010

LEVIN SIMES KAISER & GORNICK LLP

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By: /s/ Laura Brandenburg (with permission)
Laura Brandenburg

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ATTORNEYS FOR PLAINTIFF DAVID
MOORE, INDIVIDUALLY AND ON
BEHALF OF THE ESTATE OF KATHRYN
MOORE AND ALL LEGAL
BENEFICIARIES

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IT IS SO ORDERED:

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Edward M. Chen
U.S. Magistrate Judge

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