

1 MELVIN R. GOLDMAN (CA SBN 34097)
 MGoldman@mofo.com
 2 JAMES P. BENNETT (CA SBN 65179)
 JBennett@mofo.com
 3 LORI A. SCHECHTER (CA SBN 139728)
 LSchechter@mofo.com
 4 PAUL FLUM (CA SBN 104424)
 PaulFlum@mofo.com
 5 MORRISON & FOERSTER LLP
 425 Market Street
 6 San Francisco, California 94105-2482
 Telephone: 415.268.7000
 7 Facsimile: 415.268.7522

8 Attorneys for Defendant
 MCKESSON CORPORATION
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION
 13

14 STATE OF UTAH,
 15 Plaintiff,
 16 v.
 17 MCKESSON CORPORATION,
 18 Defendant.
 19

Case No. CV-10-4743 SI

**STIPULATION AND [~~PROPOSED~~]
 ORDER TO CONTINUE CASE
 MANAGEMENT CONFERENCE**

CMC Date: May 13, 2011
 Time: 2:30 p.m.
 Courtroom 10, 19th Floor
 The Honorable Susan Illston

20 Pursuant to Civil Local Rule 6-2 for the Northern District of California, Defendant
 21 McKesson Corporation ("McKesson") and Plaintiff State of Utah ("Utah"), by and through their
 22 undersigned attorneys, stipulate and request a time modification as follows:

23 WHEREAS, on April 18, 2011, this Court issued an Order referring this case to the
 24 United States Judicial Panel on Multidistrict Litigation ("JPML") (*see* Docket No. 41);

25 WHEREAS, on May 10, 2011, the JPML issued a briefing schedule;

26 WHEREAS, the parties agree that it is in the interest of orderly case management and
 27 economy to continue the upcoming case management conference before this Court, currently
 28 scheduled for Friday, May 13, 2011, pending final action by the JPML;

1 WHEREAS, the parties believe that four weeks will allow the JPML sufficient time to
2 take final action, and therefore request that the case management conference be rescheduled for a
3 date on or around June 10, 2011, at the convenience of the Court;

4 WHEREAS, pursuant to Local Rule 6-2(a)(2), the parties state that the only previous time
5 modifications in this action were: (1) the stipulated extension of time for McKesson to respond to
6 the original Complaint (*see* Docket No. 7); (2) the stipulated modification of the time for Utah to
7 oppose McKesson's motion to dismiss the original Complaint and for McKesson to file its reply
8 brief in support of its motion to dismiss the original Complaint (*see* Docket No. 17), which the
9 Court granted by Order dated January 10, 2011 (*see* Docket No. 18); (3) the stipulated
10 rescheduling of a case management conference to coincide with a hearing date on McKesson's
11 motion to dismiss the Amended Complaint (*see* Docket No. 20), which the Court granted by
12 Order dated January 20, 2011 and thereafter modified on January 24, 2011(*see* Docket No. 21).

13 NOW THEREFORE, SUBJECT TO COURT APPROVAL, THE PARTIES HEREBY
14 STIPULATE AND AGREE, through their counsel of record, as follows:

15 The case management conference currently scheduled for May 13, 2011 at 2:30 p.m. shall
16 be rescheduled to June 10, 2011 at 2:30 p.m., or to a time of the Court's choosing.

17 IT IS SO STIPULATED.
18
19
20
21
22
23
24
25
26
27
28

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

Dated: May 10, 2011

MELVIN R. GOLDMAN
PAUL FLUM
LORI A. SCHECHTER
JAMES P. BENNETT
MORRISON & FOERSTER LLP

By: /s/ Paul Flum
Paul Flum

425 Market Street
San Francisco, California 94105
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

Attorneys for Defendant
McKESSON CORPORATION

1 Dated: May 10, 2011

JENNIFER F. CONNOLLY (*PRO HAC VICE*)
HAGENS BERMAN SOBOL SHAPIRO LLP

2
3
4 By: /s/ Jennifer F. Connolly
Jennifer F. Connolly

5 1628 K St. NW, Suite 300
6 Washington, DC 20006
7 Telephone: (202) 355-6435
8 Facsimile: (202) 355-6455

9 Jeff D. Friedman
10 HAGENS BERMAN SOBOL SHAPIRO LLP
11 715 Hearst Avenue, Suite 202
12 Berkeley, California 94710
13 Telephone: (510) 725-3000
14 Facsimile: (510) 725-3001

15 Steve W. Berman
16 Barbara A. Mahoney
17 HAGENS BERMAN SOBOL SHAPIRO LLP
18 1918 Eighth Avenue, Suite 3300
19 Seattle, WA 98101
20 Telephone: (206) 623-7292
21 Facsimile: (206) 623-0594
22 steve@hbsslaw.com
23 barbaram@hbsslaw.com

24 Joseph W. Steele
25 STEELE & BIGGS, LLC
26 5664 South Green Street
27 Salt Lake City, UT 84123
28 Telephone: (801) 266-0999
Facsimile: (801) 266-1387
jwsteele5@att.net

James L. Ward, Jr. (*Pro Hac Vice* pending)
Robert S. Wood (*Pro Hac Vice*)
RICHARDSON PATRICK WESTBROOK &
BRICKMAN, LLC
P.O. Box 1007
Mt. Pleasant, SC 29465
Telephone: (843) 727-6500
Facsimile: (843) 216-6509
jward@rpwb.com
bwood@rpwb.com

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

Stuart H. McCluer
McCULLLEY McCLUER PLLC
1109 Van Buren Avenue
Oxford, MI 38655
Telephone: (662) 236-1401
Facsimile: (662) 368-1506
smccluer@mcculleymccluer.com

R. Bryant McCulley (*Pro Hac Vice* pending)
McCULLLEY McCLUER PLLC
One Independent Drive, Suite 3201
Jacksonville, FL 32210
Telephone: (904) 482-4073
Facsimile: (904) 239-5388
bmculley@mcculleymccluer.com

Attorneys for Plaintiff
STATE OF UTAH

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

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5/13/11



Hon. Susan Illston
United States District Judge

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

GENERAL ORDER 45 ATTESTATION

I, Paul Flum, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Withdrawing Motion to Dismiss and Setting Briefing Schedule Regarding Amended Complaint. In compliance with General Order 45, X.B., I hereby attest that Jennifer Connolly has concurred in this filing.

Dated: May 10, 2011

By: /s/ Paul Flum
Paul Flum

Counsel for Defendant
MCKESSON CORPORATION