

MEMORANDA OF POINTS AND AUTHORITIES - 11-CV-00310 CRB

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| 1  | judgment may not exceed fifteen pages. See Standing Orders, May 9, 2011, ¶ 5. In light of the      |  |  |
|----|--|--|--|
| 2  | complexity of the issues raised in the Plaintiff's complaint and in the Pfizer Defendants' motion  |  |  |
| 3  | to dismiss, however, the parties hereby stipulate – subject to the Court's approval – to filing    |  |  |
| 4  | memoranda in excess of the page limit established in the Court's Standing Orders, as follows:      |  |  |
| 5  | 1. The Pfizer Defendants may file a memorandum of points and authorities in suppor                 |  |  |
| 6  | of their motion to dismiss, which may not exceed thirty pages, on the date ordered by the Court    |  |  |
| 7  | (Friday, November 18, 2011).   |  |  |
| 8  | 2. Plaintiff may file a memorandum of points and authorities in opposition to the                  |  |  |
| 9  | Pfizer Defendants' motion to dismiss, which may not exceed thirty pages, on the date ordered by    |  |  |
| 10 | the Court (Friday, December 16, 2011).   |  |  |
| 11 | 3. The Pfizer Defendants may file a reply memorandum of points and authorities in                  |  |  |
| 12 | support of their motion to dismiss, which may not exceed fifteen pages, on the date ordered by the |  |  |
| 13 | Court (Tuesday, January 10, 2012).   |  |  |
| 14 | 4. Plaintiff may file a sur-reply memorandum of points and authorities in opposition               |  |  |
| 15 | to the Pfizer Defendants' motion to dismiss, which may not exceed five pages, and which            |  |  |
| 16 | Plaintiff must file by Friday, January 13, 2012.   |  |  |
| 17 | IT IS SO STIPULATED.   |  |  |
| 18 |  |  |  |
| 19 | Dated: November 17, 2011 SCOTT YUNG LLP  |  |  |
| 20 |  |  |  |
| 21 | Andrew Yung  |  |  |
| 22 | 208 N. Market St., Suite 200<br>Dallas, TX 75202   |  |  |
| 23 | Telephone: (214) 220-0422<br>Fax: (214) 220-9932   |  |  |
| 24 | Email: ayung@scottyung.com   |  |  |
| 25 | Counsel for Plaintiff Health Care Service<br>Corporation   |  |  |
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| 1 2 |   | SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP                             |  |
|-----|---|--|--|
| 3   |   | /s/  |  |
| 4   |   | /s/<br>John H. Beisner<br>Jessica D. Miller                          |  |
| 5   |   | 1440 New York Avenue, N.W.<br>Washington, D.C. 20005-2111            |  |
| 6   | ,   | Telephone: (202) 371-7410<br>Facsimile: (202) 661-8301               |  |
| 7   |   | Email: john.beisner@skadden.com<br>Email: jessica.miller@skadden.com |  |
| 8   |   | Counsel for Defendants Pfizer Inc, Pharmacia &                       |  |
| 9   |   | Upjohn Company LLC, Mark Brown and Mitchell<br>Gandelman             |  |
| 10  | PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED. |  |  |
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| 13  | UNITED STATES DISTRICT JUNGS                            |  |  |
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| 15  |   | IT IS SO UND 2   |  |
| 16  |   | Judge Charles R. Breyer  |  |
| 17  |   | Judge Char   |  |
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STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE AND PAGE LIMITS FOR MEMORANDA OF POINTS AND AUTHORITIES – 11-CV-00310 CRB