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

13

14 THE COMMONWEALTH OF VIRGINIA,

15 Plaintiff,

16 v.

17 MCKESSON CORPORATION, ROBERT
 18 JAMES, AND GREG YONKO

19 Defendant.

Case No. C 11-02782 SI

STIPULATION AND ~~PROPOSED~~
 MODIFIED PRETRIAL
 PREPARATION ORDER

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Pursuant to Civil Local Rule 6-2 for the Northern District of California, Defendants McKesson Corporation, Robert James, and Greg Stephen Yonko (“Defendants”) and Plaintiff Commonwealth of Virginia (collectively the “Parties”), by and through their undersigned attorneys, stipulate and request the following modification to the Pretrial Preparation Order:

WHEREAS, on October 18, 2011, the Court entered a Pretrial Preparation Order in this action, *Commonwealth of Virginia v. McKesson Corp.*, Case No. 11-02782 SI (the “*Virginia Action*”);

WHEREAS, on March 20, 2012, the Court entered a Pretrial Preparation Order in a related action, *State of Oregon v. McKesson Corp.*, Case No. 11-5384 SI (the “*Oregon Action*”);

WHEREAS, on August 24, 2012, the Court held a Case Management Conference where the Court scheduled the next case management conference on December 14, 2012, and directed the parties to renew their settlement discussions before then, and where the parties agreed that, given the current status of discovery, the *Virginia Action* should follow the schedule previously set in the *Oregon Action*;

WHEREAS, pursuant to Local Rule 6-2, the Parties state that the previous time modifications in this action include the August 2, 2011, order rescheduling the initial case management conference to September 22, 2011 (*see* Docket No. 15), the August 15, 2011, stipulation to modify the briefing schedule for Defendants’ Motion to Dismiss (*see* Docket No. 17), the September 14, 2011 order rescheduling the initial case management conference to October 14, 2011 (*see* Docket No. 22), the March 30, 2012, order rescheduling a case management conference for April 6, 2012 (*see* Docket No. 36) and the May 31, 2012, order continuing a case management conference to August 24, 2012 (*see* Docket 41).

NOW THEREFORE, SUBJECT TO COURT APPROVAL, THE PARTIES HEREBY STIPULATE AND AGREE, through their counsel of record, that the schedule set forth in the Court’s Pretrial Preparation Order, entered on October 18, 2011, should be modified as follows to conform to the Court’s Pretrial Preparation Order in the *Oregon Action*:

FURTHER CASE MANAGEMENT: December 14, 2012 at 3:00p.m.

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Counsel *must* file a joint case management statement seven days in advance of the conference.

NON-EXPERT DISCOVERY CUTOFF is February 8, 2013.

DESIGNATION OF EXPERTS: February 18, 2013; REBUTTAL: March 4, 2013.
Parties **SHALL** conform to Rule 26(a)(2).

EXPERT DISCOVERY CUTOFF is March 20, 2013.

DISPOSITIVE MOTIONS **SHALL** be filed by April 5, 2013;

Opp. Due April 19, 2013; Reply Due April 26, 2013;

and set for hearing no later than May 10, 2013 at 9:00 AM.

PRETRIAL CONFERENCE DATE: June 25, 2013 at 3:30 PM.

JURY TRIAL DATE: ^{July} ~~June~~ 8, 2013 at 8:30 AM.

Courtroom 10, 19th floor.

IT IS SO STIPULATED.

Dated: August 28, 2012

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By: /s/ Paul Flum
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McKESSON CORPORATION, ROBERT
JAMES, and GREG YONKO

Dated: August 28, 2012

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 29, 2012



Hon. Susan Illston
United States District Judge