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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION  
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15 THE COMMONWEALTH OF VIRGINIA,  
 16 Plaintiff,  
 17 v.  
 18 MCKESSON CORPORATION, ROBERT  
 JAMES, AND GREG STEPHEN YONKO,  
 19 Defendants.  
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Case No. CV-11-02782 SI

STIPULATION AND MODIFIED  
 [PROPOSED] PRETRIAL  
 PREPARATION ORDER

1 Plaintiff Commonwealth of Virginia and Defendant McKesson Corporation (collectively  
2 the “Parties”), stipulate and request the following modification to the Pretrial Preparation Order:

3 WHEREAS, on April 17, 2013, the Court held a Case Management Conference, continued  
4 the trial of this action from October 28, 2013 to November 18, 2013, and asked the Parties to  
5 submit a revised scheduling order continuing the other case deadlines to conform to the new trial  
6 date; and

7 WHEREAS, pursuant to Local Rule 6-2, the Parties state that the previous time  
8 modifications in this action include the August 2, 2011 order rescheduling the initial case  
9 management conference to September 22, 2011 (*see* Docket No. 15); the August 15, 2011  
10 stipulation to modify the briefing schedule for Defendants’ Motion to Dismiss (*see* Docket No. 17);  
11 the September 14, 2011 order rescheduling the initial case management conference to October 14,  
12 2011 (*see* Docket No. 22); the March 30, 2012 order rescheduling a case management conference  
13 for April 6, 2012 (*see* Docket No. 36); the May 31, 2012 order continuing a case management  
14 conference to August 24, 2012 (*see* Docket No. 41); the August 29, 2012 stipulation and  
15 modification of the Pretrial Preparation Order (*see* Docket No. 45); the December 14, 2012 order  
16 rescheduling the case management conference to December 18, 2012 (*see* Docket No. 49); and the  
17 January 2, 2013 stipulation and modification of the Pretrial Preparation Order (*see* Docket No. 52).

18 NOW THEREFORE, SUBJECT TO COURT APPROVAL, THE PARTIES HEREBY  
19 STIPULATE AND AGREE that the schedule set forth in the Court’s Modified Pretrial Preparation  
20 Order, entered on January 2, 2013, should be modified by extending all relevant deadlines by  
21 approximately three weeks, as follows:

22 FURTHER CASE MANAGEMENT CONFERENCE: August 16, 2013 at 3 p.m.

23 NON-EXPERT DISCOVERY CUTOFF: June 17, 2013.

24 DESIGNATION OF EXPERTS: June 24, 2013; REBUTTAL: July 15, 2013; RESPONSE  
25 TO REBUTTAL: July 26, 2013.

26 Parties SHALL conform to Rule 26(a)(2).

27 EXPERT DISCOVERY CUTOFF: August 9, 2013.

1 DISPOSITIVE MOTIONS SHALL be filed by August 16, 2013; Opposition Due August  
2 30, 2013; Reply Due September 6, 2013; and set for hearing September 20, 2013, or a date and  
3 time convenient for the Court.

4 Defendants may file two motions for summary judgment: (1) an early motion on statute of  
5 limitations issues, to be filed before and noticed for hearing after the February 27, 2013 Mediation;  
6 and (2) a second motion after the close of discovery, to be briefed and heard on the schedule set  
7 forth above.

8 PRETRIAL CONFERENCE DATE: November <sup>5</sup>/~~4~~, 2013, or a date and time convenient for  
9 the Court.

10 JURY TRIAL DATE: November 18, 2013, at 8:30 AM., Courtroom 10, 19th floor.

11 IT IS SO STIPULATED.

12 DATED: April 26, 2013

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19 By: /s/ Paul Flum  
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20 Attorneys for Defendant  
21 MCKESSON CORPORATION

22 DATED: April 26, 2013

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24 By: /s/ Steve W. Berman  
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*Counsel for the Commonwealth of Virginia*

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/30/13



HON. SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

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