

MICHAEL J. STORTZ (SBN #139386)
michael.stortz@dbr.com

MATTHEW J. ADLER (SBN #273147)
matthew.adler@dbr.com

DRINKER BIDDLE & REATH LLP
50 Fremont Street, 20th Floor
San Francisco, CA 94105-2235
Telephone: (415) 591-7500
Facsimile: (415) 591-7510

STEVEN A. ZALESIN
sazalesin@pbwt.com

TRAVIS J. TU
tjtu@pbwt.com

JONAH M. KNOBLER
jknobler@pbwt.com

PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, New York 10036
Telephone: (212) 336-2000
Facsimile: (212) 336-2222

Attorneys for Defendants
JOHNSON & JOHNSON and
MCNEIL NUTRITIONALS, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BARBARA BRONSON, MICHAEL
FISHMAN, and ALVIN KUPPERMAN,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

JOHNSON & JOHNSON INC. and
MCNEIL NUTRITIONALS, LLC,

Defendants.

Case No. 3:12-CV-04184-CRB

**JOINT STIPULATION AND ORDER
EXTENDING TIME TO RESPOND TO
PLAINTIFFS' SECOND AMENDED
COMPLAINT AND RELATED BRIEFING
DEADLINES; DECLARATION OF
MICHAEL J. STORTZ IN SUPPORT**

1 WHEREAS Plaintiffs Barbara Bronson, Michael Fishman, and Alvin Kupperman
2 (“Plaintiffs”) filed the Complaint in this action on August 9, 2012 and thereafter served the
3 Complaint on Defendants Johnson & Johnson and McNeil Nutritionals, LLC (“Defendants”);

4 WHEREAS Plaintiffs filed a First Amended Complaint on September 6, 2012;

5 WHEREAS Defendants filed a Motion to Dismiss on October 30, 2012;

6 WHEREAS Defendants’ Motion to Dismiss came on for hearing before the Court on
7 April 12, 2013;

8 WHEREAS the Court granted in part and denied in part Defendants’ Motion by Order
9 filed April 16, 2013;

10 WHEREAS Plaintiffs filed a Second Amended Complaint on April 26, 2013;

11 WHEREAS Defendants are presently reviewing Plaintiffs’ Second Amended Complaint
12 and require additional time to determine their response to that pleading; and

13 WHEREAS the parties through counsel have met and conferred and reached agreement as
14 to the briefing schedule for Defendants’ potential Motion to Dismiss, as set forth below, in the
15 event Defendants choose to so move;

16 IT IS THEREFORE STIPULATED, by the parties through their respective counsel, as
17 follows:

18 1. The deadline for Defendants’ pleading in response to the Plaintiffs’ Second
19 Amended Complaint is continued to and including May 31, 2013.

20 2. In the event that Defendants file a Motion to Dismiss the Second Amended
21 Complaint, Defendants shall file the Motion and all papers in support of said Motion on or before
22 May 31, 2013, and briefing and hearing on the Motion to Dismiss shall proceed on the following
23 schedule:

24 a. Plaintiffs shall file their Opposition to Defendants’ Motion to Dismiss,
25 including all papers in support of said Opposition, on or before June 28, 2013.

26 b. Defendants shall file their Reply in support of their Motion to Dismiss,
27 including all papers in support of said Reply, on or before July 12, 2013.

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c. Hearing on the Motion to Dismiss shall be determined on filing of Defendants' Motion.

IT IS SO STIPULATED.

Dated: May 3, 2013

DRINKER BIDDLE & REATH LLP

By: /s/ Michael J. Stortz
Michael J. Stortz

Attorneys for Defendants
JOHNSON & JOHNSON and
MCNEIL NUTRITIONALS, LLC

Dated: May 3, 2013

THE MILLS LAW FIRM

By: /s/ Joshua D. Boxer
Joshua D. Boxer

Attorneys for Plaintiffs
BARBARA BRONSON, MICHAEL
FISHMAN, and ALVIN KUPPERMAN

Attestation Pursuant to Civil Local Rule 5.1(i)

Pursuant to Civil Local Rule 5.1(i), I, Michael J. Stortz, hereby attest that I have obtained concurrence in the filing of this document from the other signatory to this document.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct. Executed on May 3, 2013 at San Francisco, California.

Dated: May 3, 2013

/s/ Michael J. Stortz
Michael J. Stortz

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 9, 2013

The Honorable
JUDGE OF THE

