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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANDRA L. KINNEY, *et al.*,

Plaintiffs,

v.

BRISTOL-MYERS SQUIBB COMPANY, *et al.*,

Defendants.

No. C-12-4477 EMC

RELATED TO

No. C-12-4478 EMC
No. C-12-4615 EMC
No. C-12-4616 EMC
No. C-12-4617 EMC
No. C-12-4619 EMC
No. C-12-4633 EMC
No. C-12-4641 EMC
No. C-12-4642 EMC
No. C-12-4803 EMC

AND ALL RELATED ACTIONS.

**ORDER STAYING LITIGATION
PENDING DECISION BY MDL
JUDICIAL PANEL**

At a hearing held on November 30, 2012, the Court discussed with the parties whether there should be a stay in the above-referenced lawsuits in light of Bristol-Myers and Sanofi's motion to transfer and consolidate with the Judicial Panel on Multidistrict Litigation (which was filed on October 15, 2012). *See* Docket No. 19 (notice). Having considered the parties' positions, as articulated in their joint case management statement and at the hearing, the Court concludes that a stay is warranted. There is a reasonable likelihood that issues currently before this Court (*e.g.*, fraudulent joinder, CAFA jurisdiction, and/or procedural misjoinder) will arise in other Plavix cases filed in other district courts. Moreover, Plaintiffs have not adequately established that they would be prejudiced by any delay resulting from a stay, particularly where the stay is likely to be brief in

1 length. *See* Docket No. 24 (CMC St. at 4) (stating Defendants' best estimate that the panel hearing
2 will take place on January 31, 2013).

3 Accordingly, the Court hereby **STAYS** the litigation in each of the above-referenced actions
4 pending a decision by the MDL Judicial Panel on the motion to transfer and consolidate.

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6 IT IS SO ORDERED.

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8 Dated: December 3, 2012

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EDWARD M. CHEN
United States District Judge

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