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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15 TERRY FREITAS, et al.,
 16 Plaintiffs,
 17 v.
 18 MCKESSON CORPORATION, et al.,
 19 Defendants.
 20

CASE NO. 3:12-cv-05948 SC
 Assigned to the Hon. Samuel Conti

**STIPULATION TO STAY MOTION FOR
 JUDGMENT ON THE PLEADINGS
 PENDING OUTCOME OF MOTION TO
 REMAND**

21 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

22 Defendant Xanodyne Pharmaceuticals, Inc. (“Xanodyne”) and plaintiffs hereby agree and
 23 stipulate to STAY Xanodyne’s Motion for Partial Judgment on the Pleadings as follows:

24 Plaintiffs’ action was removed by Defendants Brenn Distribution, Inc. to the United
 25 States District Court for the Northern District of California on November 20, 2012.

26 On December 17, 2012, Xanodyne filed a Motion for Judgment on the Pleadings based
 27 on lack of personal jurisdiction. Plaintiffs’ opposition to that motion is due December 31, 2012.
 28

1 The hearing on that motion is set for February 15, 2013.

2 Plaintiffs will file a Motion to Remand on or before January 3, 2013. The Clerk of this
3 Court has assigned a hearing date of February 15, 2013 for the Motion to Remand.

4 Plaintiffs and defendant Xanodyne agree that the Court should decide the motion to
5 remand before other motions. Accordingly, in order to promote the efficiency for the Court and
6 the parties, Xanodyne and plaintiffs have agreed to stay Xanodyne's Motion for Judgment on the
7 Pleadings pending the outcome of the Motion to Remand.

8 ON THESE BASES, plaintiffs and Xanodyne agree that:

9 Xanodyne's Motion for Judgment on the Pleadings is stayed pending the outcome of the
10 Motion to Remand;

11 The hearing on plaintiffs' Motion to Remand will remain set for February 15, 2013.

12 **IT IS SO STIPULATED.**

13 DATED: December 31, 2012

SEDGWICK LLP

14 By: /s/ Christopher P. Norton
15 KAREN WOODWARD
16 CHRISTOPHER P. NORTON
17 Attorneys for Defendant
Xanodyne Pharmaceuticals, Inc.

18 DATED: December 31, 2012

SALKOW LAW, APC

19 By: /s/ Richard Salkow
20 RICHARD SALKOW
21 Attorneys for Plaintiffs



1 **PROOF OF SERVICE**

2 **Freitas vs. McKesson; 3:12-cv-5948-SC**

3 I am over the age of 18 years and not a party to or interested in the above-named case. I am
4 associated with the Sill Law Group whose business address is 14005 N. Eastern Avenue, Edmond,
5 OK 73013; and I am working from my home office located at 1950 E. Andreas Road, Palm
6 Springs, CA 92262.

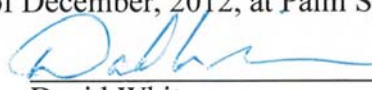
7 On December 31, 2012, I served a true copy of the following document(s):

8 **STIPULATION TO STAY MOTION FOR JUDGMENT ON THE PLEADINGS PENDING**
9 **OUTCOME OF MOTION TO REMAND**

10 by electronically filing with the Clerk of the Court using the CM/ECF system which will send
11 notification of such filings to the following individuals:

12 Farley Neuman 13 Goodman Neuman & Hamilton LLP 14 417 Montgomery Street, 10th Floor 15 San Francisco, CA 94104 16 Telephone: (415) 705-0400 17 Facsimile: (415) 704-0411 18 Email: fneuman@gnhllp.com	Attorneys for Defendants McKesson Corporation
19 Christopher Patrick Norton 20 Sedgwick LLP 21 801 S. Figueroa Street, 19th Floor 22 Los Angeles, CA 90017 23 Telephone: (213) 426-6900 24 Facsimile: (213) 426-6921 25 Email: Christopher.norton@sedgwicklaw.com	Attorneys for Defendants Xanodyne Pharmaceuticals, Inc.
26 Adam Richard Salvas 27 Seeger Salvas LLP 28 455 Market Street, Suite 1530 San Francisco, CA 94105 Telephone: (415) 981-9260 Facsimile: (415) 981-9266 Email: asalvas@seegersalvas.com	Attorneys for Defendants Brenn Distribution, Inc. F/K/A Propst; Endo Pharmaceuticals Holdings, Inc.; Endo Pharmaceuticals, Inc.; Generics Bidco I, LLC; Generics Bidco II, LLC; Generics International (US Parent) Inc.; Generics International (UX) Inc.; Vintage Pharmaceuticals, Inc.; Vintage Pharmaceuticals, LLC
Carolyn Taylor Tammara N. Tukloff Morris Polich & Purdy LLP 600 W. Broadway, Ste 500 San Diego, CA 92101 Telephone: (619) 557-0404 Facsimile: (619) 557-0460 Email: ctaylor@mpplaw.com Email: ttukloff@mpplaw.com	Attorneys for Defendants Brenn Distribution, Inc. fka Propst, Vintage Pharmaceuticals, Inc.

26 I declare under penalty of perjury under the laws of the State of California that the foregoing
27 is true and correct; executed this 31st day of December, 2012, at Palm Springs, California.

28 

David Whitener