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4 IN THE UNITED STATES DISTRICT COURT  
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6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 DEADRA CATLETT, et al.,

9 Plaintiffs,

No. C 13-03067 WHA

10 v.

11 MCKESSON CORPORATION, a California  
12 corporation, SMITHKLINE BEECHAM  
13 CORPORATION d/b/a/ GLAXOSMITHKLINE  
14 LLC, a corporation, and DOES 1-100, inclusive,

Defendants.  
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**ORDER REQUESTING  
SUPPLEMENTAL  
SUBMISSIONS**

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16 In this product liability action for the prescription medication Avandia, a multidistrict  
17 litigation proceeding was started in the United States District Court for the Eastern District of  
18 Pennsylvania. The present action was first filed in state court and then removed to federal court  
19 by defendant GlaxoSmithKline LLC. Pending before this Court are plaintiffs' motion to remand  
20 and defendants' motion to stay pending transfer to the MDL. The MDL judge has previously  
21 held that removal is proper when "an out-of-state defendant removes after it has been served, but  
22 prior to service upon any forum defendant." *In re Avandia*, 624 F.Supp.2d 396, 411 (E.D. Pa.,  
23 2009) (Judge Cynthia Rufe). Counsel for plaintiffs are ordered to file proof of the date each  
24 defendant in this action was served with the original complaint. Plaintiff's response shall be  
25 made by **3:00 P.M. on AUGUST 16, 2013.**

26 **IT IS SO ORDERED.**

27 Dated: August 14, 2013.

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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE