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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 SHEILA ELLIS, an individual;

12 Plaintiff,

13 vs.

14 JOHNSON & JOHNSON; JOHNSON &
 JOHNSON PHARMACEUTICAL
 15 RESEARCH & DEVELOPMENT, L.L.C.;
 ORTHO-MCNEIL-JANSSEN
 16 PHARMACEUTICALS, INC.;
 McKESSON CORPORATION

17 Defendants.
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Case No. 3:14-cv-05669-VC

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER FOR VOLUNTARY DISMISSAL
 PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

AS MODIFIED

Complaint Filed: December 30, 2014

21 Undersigned Plaintiff’s counsel: (1) having failed to receive documentation necessary to
 22 continue the prosecution of this action despite repeated and reasonable efforts to obtain such
 23 documentation from Plaintiff; (2) having lost contact with Plaintiff despite reasonable and
 24 substantial efforts; and (3) having informed Plaintiff by letter of the intent to cease representation
 25 as her legal counsel;

26 IT IS HEREBY STIPULATED AND AGREED by Plaintiff Sheila Ellis, by and through
 27 her undersigned counsel, and Defendants Johnson & Johnson, Janssen Research & Development,
 28 LLC (formerly known and incorrectly named as “Johnson & Johnson Pharmaceutical Research &

1 Development, L.L.C.”), Janssen Pharmaceuticals, Inc. (formerly known and incorrectly named as
2 “Ortho-McNeil-Janssen Pharmaceuticals, Inc.”), and McKesson Corporation, by and through
3 their undersigned counsel, that the above-captioned action is voluntarily dismissed without
4 prejudice as to the Defendants without costs or fees to any party. It is further stipulated and
5 agreed between the undersigned that if Plaintiff refiles this action in this Court (or a California
6 state court if plaintiff’s change of residence to California destroys diversity jurisdiction in the
7 future) prior to January 1, 2019, the action will be deemed filed as of December 30, 2014 for
8 statute of limitations purposes.

9
10 Dated: May 21, 2015

GOMEZ TRIAL ATTORNEYS

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12 By: /s/ Stephanie S. Poli

John Fiske

Stephanie S. Poli

Attorneys for Plaintiff SHEILA ELLIS

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14
15
16 Dated: June 18, 2015

BARNES & THORNBURG LLP

17
18 By: /s/ Sarah E. Johnston

Alexander G. Calfo

Sarah E. Johnston

Stacy L. Foster

Attorneys for Defendants

JOHNSON & JOHNSON; JANSSEN
RESEARCH & DEVELOPMENT, LLC

(sued herein as “Johnson & Johnson
Pharmaceutical Research & Development,
L.L.C.”); and JANSSEN

PHARMACEUTICALS, INC. (sued herein
as “Ortho-McNeil-Janssen

Pharmaceuticals, Inc.”); and MCKESSON
CORPORATION

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Attestation Pursuant to Civil Local Rule 5.1(i)

Pursuant to Civil Local Rule 5.1(i), I, Stephanie S. Poli, hereby attest that I have obtained concurrence in the filing of this document from the other signatories 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 21, 2015 at Los Angeles, California.

/s/ Stephanie S. Poli
Stephanie S. Poli

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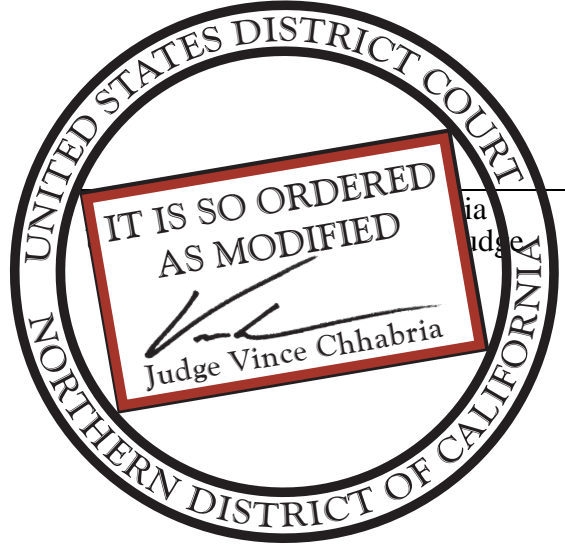
~~PROPOSED~~ ORDER AS MODIFIED

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Counsel for the plaintiff must transmit this order to the plaintiff through every available means, and must file a declaration with the Court, within 5 days of the date of this order, documenting the ways in which the order was transmitted to the plaintiff.

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Dated: ~~May~~, 2015
June 19, 2015



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CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2015, I caused **STIPULATION AND [PROPOSED] ORDER FOR VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii) and DECLARATION OF STEPHANIE S. POLI IN SUPPORT OF PLAINTIFF’S MOTION TO WITHDRAW AS COUNSEL OR IN THE ALTERNATIVE JOINT STIPULATION TO DISMISS** to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 18, 2015.

Dated: June 18, 2015

Respectfully submitted,

By: /s/ Stephanie S. Poli
John Gomez, Esq.
John P. Fiske, Esq.
Stephanie S. Poli, Esq.
GOMEZ TRIAL ATTORNEYS