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15 Attorneys for Defendant  
 16 Pfizer Inc.

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

20 EDMOND NICHOLAS,

21 Plaintiff,

22 v.

23 PFIZER, INC.

24 Defendant.

Case No.: 3:15-cv-05251-RS

**STIPULATION AND ~~PROPOSED~~  
 ORDER CONTINUING DEADLINE TO  
 RESPOND TO COMPLAINT**

1 On December 11, 2015, several Plaintiffs, without opposition, moved the Judicial Panel  
2 on Multidistrict Litigation (“JPML”) to transfer and coordinate 15 actions, including the instant  
3 action and any “tag-along” actions, in the United States District Court for the Northern District  
4 of California, pursuant to 28 U.S.C. §1407. Defendants agree that coordination is appropriate  
5 and that the Northern District of California is a suitable venue. *See* Case MDL No. 2691, Dkt. 1  
6 through 1-4.

7 On December 28, 2015, with briefing essentially complete in support of Plaintiffs’  
8 unopposed motion to transfer, the parties jointly moved the JPML for expedited consideration of  
9 Plaintiffs’ unopposed motion on the January 28, 2016 hearing session. *See* Case MDL No. 2691,  
10 Dkt. 16.

11 On December 29, 2015, the motion for expedited consideration was denied by the JPML.  
12 *See* Case MDL No. 2691, Dkt. 19. The next scheduled hearing session for the JPML is March  
13 31, 2016.

14 Defendant Pfizer Inc.’s current deadline to respond to the complaint in this matter is  
15 February 2, 2016. The parties have not previously requested an extension of time for any  
16 deadlines in this matter.

17 To avoid unnecessary pleadings and provide the JPML with the time it requires to rule on  
18 the parties’ pending motion to transfer, defendant Pfizer Inc. and Plaintiff Edmond Nicholas  
19 wish to stipulate to extend Pfizer’s deadline to respond to the Complaint until sixty (60) days  
20 after a ruling by the JPML on Plaintiffs’ motion to transfer.

21 This stipulation will require the Court to reschedule the case management conference  
22 currently scheduled for April 14, 2016 at 10:00 A.M. in Courtroom 3 to a later date.

23 Based on the foregoing and pursuant to Local Rule 6-2 of the Northern District of  
24 California, the parties stipulate and agree to extend Pfizer’s deadline to respond to Plaintiff’s  
25 complaint in this matter until sixty (60) days after the JPML rules on Plaintiffs’ motion to  
26 transfer, described above.

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DATED: January 25, 2016

By:           /s/ Trevor B. Rockstad            
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DATED: January 25, 2016

By:           /s/ Matthew A. Holian            
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*Attorneys for Pfizer Inc.*




**ORDER**

PURSUANT TO STIPULATION OF THE PARTIES, IT IS ORDERED:

The time for Defendant Pfizer Inc. to respond to Plaintiff's complaint in this action is continued until sixty (60) calendar days after the Judicial Panel on Multidistrict Litigation ("JPML") issues its ruling on Plaintiffs' pending motion to transfer and coordinate 15 actions, including the instant action and any "tag-along" actions, in the United States District Court for the Northern District of California, pursuant to 28 U.S.C. §1407.

The case management conference currently scheduled in this case for April 14, 2016 at 10:00 A.M. in Courtroom 3 will be rescheduled to a date as determined and ordered by this Court.

Dated: 1/26, 2016

By:   
Honorable Richard Seeborg  
United States District Court Judge