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10	Attorneys for Defendant		
11	Pfizer Inc.		
12	UNITED STATES DISTRICT COURT		
13	NORTHERN DISTR	ICT OF CALIFORNIA	
14	SAN FRANCISCO DIVISION		
15			
16		G N 216 01102 D0	
17	MICHAEL SMITH,	Case No.: 3:16-cv-01183-RS	
18	Plaintiff,	STIPULATION AND [PROPOSED]	
19	v.	ORDER CONTINUING DEADLINE TO	
20	PFIZER, INC.	RESPOND TO COMPLAINT	
21	Defendant.		
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	STIPULATION AND [PROPOSED] ORDER 3:16-cv-01183-RS		
		Dockets.Justia.co	

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 any "tag-
3	along" actions, in the United States District Court for the Northern District of California,
4	pursuant to 28 U.S.C. §1407. Defendants agree that coordination is appropriate and that the
5	Northern District of California is a suitable venue. <i>See</i> Case MDL No. 2691, Dkt. 1 through 1-4.
6	On December 28, 2015, with briefing essentially complete in support of Plaintiffs'
7	unopposed motion to transfer, the parties jointly moved the JPML for expedited consideration of
8	Plaintiffs' unopposed motion on the January 28, 2016 hearing session. See Case MDL No. 2691,
9	Dkt. 16.
10	On December 29, 2015, the motion for expedited consideration was denied by the JPML.
11	See Case MDL No. 2691, Dkt. 19. Plaintiffs' motion to transfer will be heard at the next JPML
12	hearing, on March 31, 2016 in Santa Barbara.
13	Defendant Pfizer Inc.'s current deadline to respond to the complaint in this matter is
14	April 5, 2016. The parties have not previously requested an extension of time for any deadlines
15	in this matter.
16	To avoid unnecessary pleadings and provide the JPML with the time it requires to rule on
17	the parties' pending motion to transfer, Defendant Pfizer Inc. and Plaintiff Michael Smith wish to
18	stipulate to extend Pfizer's deadline to respond to the Complaint until sixty (60) days after a
19	ruling by the JPML on Plaintiffs' motion to transfer.
20	Based on the foregoing and pursuant to Civil L.R. 6-2 of the Northern District of
21	California, the parties stipulate and agree to extend Pfizer's deadline to respond to Plaintiff's
22	complaint in this matter until sixty (60) days after the JPML rules on Plaintiffs' motion to
23	transfer, described above.
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	2 STIDULATION AND IRPODOSEDLOPDER
	STIPULATION AND [PROPOSED] ORDER 3:16-cv-01183-RS

1	DATED: March 22, 2016	By: /s/ Rachel B. Abrams
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7		Ernest Cory
8		Kristian W. Rasmussen Lauren S. Miller
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		Email: <u>lmiller@corywatson.com</u>
14		Attorneys for Plaintiff
15		
16	DATED: March 22, 2016	By: <u>/s/ Matthew A. Holian</u>
17		Matthew A. Holian (SBN 211728) DLA PIPER LLP (US)
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26		Attorneys for Pfizer Inc.
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	STI	PULATION AND [PROPOSED] ORDER 3:16-cv-01183-RS

1	I, Matthew A. Holian, am the ECF user whose identification and password are being used to file
2	the foregoing Stipulation And [Proposed] Order Continuing Deadline To Respond To Complaint.
3	I hereby attest that the above-referenced signatory to this stipulation has concurred in this filing.
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5	/s/ Matthew A. Holian
6	MATTHEW A. HOLIAN
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	4 STIPULATION AND [PROPOSED] ORDER 3:16-cv-01183-RS
	5.10-07-01105-K5

1	ORDER		
2	PURSUANT TO STIPULATION OF THE PARTIES, IT IS ORDERED:		
3	The time for Defendant Pfizer Inc. to respond to Plaintiff's complaint in this action is		
4	continued until sixty (60) calendar days after the Judicial Panel on Multidistrict Litigation		
5	("JPML") issues its ruling on Plaintiffs' pending motion to transfer and coordinate 15 actions,		
6	including any "tag-along" actions, in the United States District Court for the Northern District of		
7	California, pursuant to 28 U.S.C. §1407.		
8			
9	Dated: <u>3/23</u> , 2016		
10	By: Rich Sechor		
11	By: Honorable Richard Seeborg		
12	United States District Court Judge		
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	STIPULATION AND [PROPOSED] ORDER 3:16-cv-01183-RS		