

United States District Court  
Northern District of California

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Attorneys for Defendants  
MALLINCKRODT ENTERPRISES LLC, MALLINCKRODT LLC, MALLINCKRODT ARD  
INC., MALLINCKRODT ENTERPRISES HOLDINGS, INC., MALLINCKRODT HOSPITAL  
PRODUCTS INC., MALLINCKRODT U.S. HOLDINGS, INC. and ENTERPRISES  
HOLDINGS, INC. WHICH WILL DO BUSINESS IN CALIFORNIA AS MALLINCKRODT  
PHARMACEUTICALS

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

BARRY FRANKS,  
  
Plaintiff,  
  
v.

MALLINCKRODT ENTERPRISES LLC, A  
DELAWARE LIMITED LIABILITY COMPANY;  
MALLINCKRODT LLC, A DELAWARE LIMITED  
LIABILITY COMPANY; ENTERPRISES  
HOLDINGS, INC. WHICH WILL DO BUSINESS IN  
CALIFORNIA AS MALLINCKRODT  
PHARMACEUTICALS, A DELAWARE  
CORPORATION; MALLINCKRODT HOLDINGS,  
LLC, A DELAWARE LIMITED LIABILITY  
COMPANY; MALLINCKRODT ARD, INC., A  
CALIFORNIA CORPORATION; MALLINCKRODT  
ENTERPRISES HOLDINGS, INC., A CALIFORNIA  
CORPORATION; MI HOLDINGS, INC., A  
MISSOURI CORPORATION; MALLINCKRODT  
HOSPITAL PRODUCTS INC.; A DELAWARE  
CORPORATION; MALLINCKRODT U.S.  
HOLDINGS, INC., A NEVADA CORPORATION;  
QUESTCOR PHARMACEUTICALS, INC., A  
CALIFORNIA CORPORATION; AND DOES 1  
THROUGH 20, INCLUSIVE,

Defendants.

Case No. 3:16-cv-07300-RS

**JOINT STIPULATION OF  
DISMISSAL AND ~~PROPOSED~~  
ORDER**

Complaint Filed: October 7, 2016  
Trial Date: August 6, 2018  
Judge: Hon. Richard Seeborg  
Chief Magistrate  
Judge: Hon. Joseph C. Spero

1 WHEREAS, Plaintiff, BARRY FRANKS (“Plaintiff”) and Defendants MALLINCKRODT  
2 ENTERPRISES LLC, MALLINCKRODT LLC, MALLINCKRODT ARD INC.,  
3 MALLINCKRODT ENTERPRISES HOLDINGS, INC., MALLINCKRODT HOSPITAL  
4 PRODUCTS INC., MALLINCKRODT U.S. HOLDINGS, INC., and ENTERPRISES  
5 HOLDINGS, INC. WHICH WILL DO BUSINESS IN CALIFORNIA AS MALLINCKRODT  
6 PHARMACEUTICALS (“Defendants”) (collectively “the parties”), settled this matter on or about  
7 May 7, 2018 as memorialized in a Confidential Settlement Agreement and General Release of All  
8 Claims (Settlement Agreement).

9 WHEREAS, Defendant MALLINCKRODT HOLDINGS, LLC and Defendant MI  
10 HOLDINGS, INC. did not make appearances in this matter.

11 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties,  
12 that this action shall be dismissed with prejudice in its entirety as to all defendants pursuant to  
13 Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

14 IT IS FURTHER STIPULATED AND AGREED that, each party is to bear its own costs  
15 and attorney fees as set forth in the Settlement Agreement.

16 Respectfully submitted,

17  
18 DATED: June 15, 2018

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

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21 By: /s/ Gregory C. Cheng  
GREGORY C. CHENG  
ROSHNI CHAUDHARI  
Attorneys for Defendants  
MALLINCKRODT ENTERPRISES LLC,  
MALLINCKRODT LLC, MALLINCKRODT  
22 ARD INC., MALLINCKRODT  
23 ENTERPRISES HOLDINGS, INC.,  
24 MALLINCKRODT HOSPITAL PRODUCTS  
25 INC., MALLINCKRODT U.S. HOLDINGS,  
26 INC., and ENTERPRISES HOLDINGS, INC.  
27 WHICH WILL DO BUSINESS IN  
28 CALIFORNIA AS MALLINCKRODT  
PHARMACEUTICALS

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DATED: June 15, 2018

QUADE & ASSOCIATES, A PLC

By: /s/ Cheryl L. Gustafson  
MICHAEL W. QUADE  
CHERYL L. GUSTAFSON  
Attorneys for Plaintiff  
BARRY FRANKS

**SIGNATURE ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatories.

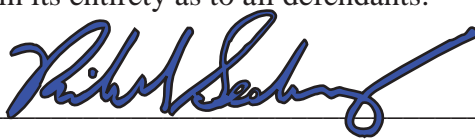
DATED: June 15, 2018

By: /s/ Cheryl L. Gustafson  
CHERYL GUSTAFSON

**ORDER**

The parties having so stipulated and agreed, it is hereby SO ORDERED. The above-referenced case is hereby DISMISSED with prejudice in its entirety as to all defendants.

DATED: 6/15/18

  
HONORABLE RICHARD SEEBORG