

1 against Defendants ACERTA PHARMA B.V. and ASTRAZENECA PLC (collectively,
2 “Defendants”) on or about July 21, 2017, in San Mateo County Superior Court; and

3 WHEREAS, Defendants removed the lawsuit to this Court on September 13, 2017; and

4 WHEREAS, Defendants filed a Motion to Transfer Venue, for which a hearing is currently
5 scheduled on November 9, 2017 in this Court; and

6 WHEREAS, Plaintiff filed a Motion to Remand Action to Superior Court, for which a hearing
7 is also currently scheduled on November 9, 2017 in this Court; and

8 WHEREAS, Plaintiff filed a First Amended Complaint on October 18, 2017, adding as a
9 Defendant ACERTA PHARMA LLC; and

10 WHEREAS, Defendants sought and obtained leave of Court to file a Sur-Reply Brief
11 regarding Plaintiff’s Motion to Remand; and

12 WHEREAS, counsel for the parties met and conferred telephonically on October 30, 2017
13 regarding a proposed supplemental briefing schedule related to Plaintiff’s Motion to Remand; and

14 WHEREAS, counsel for the parties met and conferred telephonically on October 30, 2017
15 regarding a proposed supplemental briefing schedule related to Plaintiff’s Motion to Remand; and

16 WHEREAS, the Parties respectfully request that the Court continue the hearings on
17 Defendants’ Motion to Transfer and Plaintiff’s Motion to Remand to accommodate the proposed
18 briefing schedule and for the convenience of the Court and the Parties;

19 IT IS HEREBY STIPULATED by and between Plaintiff, on the one hand, and Defendants, on
20 the other, through their respective counsel of record herein, that:

- 21 ➤ Defendants shall file their Sur-Reply Brief regarding Plaintiff’s Motion to Remand by
22 October 30, 2017; and
- 23 ➤ Plaintiff shall file any response to Defendants’ Sur-Reply Brief by Friday, November 3,
24 2017; and
- 25 ➤ Subject to the Court’s convenience and Order, the hearing on Defendants’ Motion to
26 Transfer and Plaintiff’s Motion to Remand shall be moved to November 30, 2017 at
27 9:30 a.m. to accommodate the schedules of all Parties and the Court; and
- 28 ➤ The deadline for Defendants to respond to Plaintiff’s First Amended Complaint shall

1 be continued until a week after the Court's decision on the pending Motion to Remand
2 and Motion to Transfer Venue.

3
4 DATED: October 30, 2017

/s/ Christopher A. Stecher¹

PETER R. BOUTIN
CHRISTOPHER A. STECHER
ALEXANDER J. BUKAC
KEESAL, YOUNG & LOGAN

7 Attorneys for Defendants
8 ACERTA PHARMA B.V., ASTRAZENECA PLC and
ACERTA PHARMA LLC

9
10 DATED: October 30, 2017

/s/ David A. Lowe

11 DAVID A. LOWE
12 WILLIAM P. McELHINNY
RUDY, EXELROD, ZIEFF & LOWE, LLP

13 Attorneys for Plaintiff
14 RAQUEL IZUMI

15 **~~PROPOSED~~ ORDER**

16 **PURSUANT TO THE FOREGOING STIPULATION AND GOOD CAUSE THEREFOR, IT IS**
17 **HEREBY ORDERED THAT:**

18 Defendants shall file their Sur-Reply Brief to Plaintiff's Motion to Remand by October 30,
19 2017. Plaintiff shall file any response to Defendants' Sur-Reply Brief by Friday, November 3, 2017.
20 The hearing on Defendants' Motion to Transfer and Plaintiff's Motion to Remand shall be moved to
21 November 30, 2017 at 9:30 a.m. The deadline for Defendants to respond to Plaintiff's First Amended
22 Complaint shall be continued until one week after the Court's decision on the pending Motions.

23 **IT IS SO ORDERED.**

24 DATED: October 30, 2017



25 THE HONORABLE LAUREL BEELER
26 United States Magistrate Judge

27 ¹ Pursuant to Civil L.R. 5-1(i)(3), I attest that concurrence in the filing of this Stipulation has been
28 obtained from each of the other Signatories and that Keesal, Young & Logan, counsel for Defendants,
will maintain records to support this concurrence.