

1 MICHELLE A. CHILDERS (SBN 197064)
 michelle.childers@dbr.com
 2 DRINKER BIDDLE & REATH LLP
 50 Fremont Street, 20th Floor
 3 San Francisco, CA 94105-2235
 Telephone: (415) 591-7500
 4 Facsimile: (415) 591-7510

5 Attorneys for Defendants
 JANSSEN BIOTECH, INC. (f/k/a CENTOCOR
 6 ORTHO BIOTECH INC. and/or CENTOCOR,
 INC.) and JOHNSON & JOHNSON
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION
 11

12 STEPHEN WENDELL AND LISA
 WENDELL, for themselves and as
 13 successors in interest to MAXX
 WENDELL, DECEASED,

14 Plaintiffs,

15 v.

16 JOHNSON & JOHNSON; CENTOCOR,
 17 INC.; ABBOTT LABORATORIES;
 SMITHKLINE BEECHAM d/b/a
 18 GLAXOSMITHKLINE; TEVA
 PHARMACEUTICALS USA; GATE
 19 PHARMACEUTICALS, a division of
 TEVA PHARMACEUTICALS USA; PAR
 20 PHARMACEUTICAL, INC,

21 Defendants.
 22
 23
 24
 25
 26
 27
 28

Case No. 4:09-CV-04124-CW

**STIPULATION AND ~~PROPOSED~~
 ORDER OF DISMISSAL WITH
 PREJUDICE AS TO DEFENDANTS
 JANSSEN BIOTECH, INC. and JOHNSON
 & JOHNSON**

Judge: Honorable Claudia Wilken

1 The matter in controversy having been resolved by and between the parties, it is hereby
2 **ORDERED** that the case is hereby **DISMISSED WITH PREJUDICE**, by stipulation of the
3 parties, as against **DEFENDANTS JANSSEN BIOTECH, INC. (f/k/a CENTOCOR ORTHO**
4 **BIOTECH INC. and/or CENTOCOR, INC.) and JOHNSON & JOHNSON ONLY** pursuant
5 to *Fed. R. Civ. P. 41(a)(2)*.

6
7
8 
9 _____
10 CLAUDIA WILKEN, U.S.D.J.

11 DATED: August 5, 2014

12
13 The undersigned hereby stipulate and consent to the entry of the within Order.

14
15 /s/ Kevin Haverty
16 Kevin Haverty (*pro hac vice*)
17 WILLIAMS CUKER BEREZOFSKY
18 210 Lake Drive East, Suite 101
19 Cherry Hill, NJ 08002

20
21 *Counsel for Plaintiffs*

22 /s/ Michelle A. Childers
23 Michelle A. Childers
24 DRINKER BIDDLE & REATH
25 50 Fremont St., 20th Floor
26 San Francisco, California 94105

27 *Counsel for Janssen Biotech, Inc. and*
28 *Johnson & Johnson*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Michelle A. Childers, am the ECF user whose ID and password are being used to file this attached **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANTS JANSSEN BIOTECH, INC. and JOHNSON & JOHNSON**. In compliance with General Order 45, X.B., I hereby attest that the following attorneys have concurred in this filing: Kevin Haverty, counsel for Plaintiffs.

DATED: August 5, 2014

/s/ Michelle A. Childers

Michelle A. Childers
DRINKER BIDDLE & REATH
50 Fremont St., 20th Floor
San Francisco, California 94105

*Counsel for Janssen Biotech, Inc. and
Johnson & Johnson*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who have consented to electronic service are being served with a copy of the attached **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANTS JANSSEN BIOTECH, INC. and JOHNSON & JOHNSON** via the CM/ECF system.

DATED: August 5, 2014 /s/ Michelle A. Childers

Michelle A. Childers
DRINKER BIDDLE & REATH
50 Fremont St., 20th Floor
San Francisco, California 94105

*Counsel for Janssen Biotech, Inc. and
Johnson & Johnson*