

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

DONALD BATES, et al.,
Plaintiffs,

v.

ASTRAZENECA, LP, et al.,
Defendants.

No. C 09-4150 CW

ORDER DISCHARGING
ORDER TO SHOW
CAUSE, DISMISSING
CASE AND DIRECTING
COUNSEL TO FILE A
LIST OF CURRENT
PLAINTIFFS

CAROLYN HARRISON, et al.,
Plaintiffs,

v.

ASTRAZENECA, LP, et al.,
Defendants.

No. C 09-4151 CW

TODD BOGGIS, et al.,
Plaintiffs,

v.

ASTRAZENECA, LP, et al.,
Defendants.

No. C 09-4159 CW

PAUL TRIM, et al.,
Plaintiffs,

v.

ASTRAZENECA, LP, et al.,
Defendants.

No. C 09-4160 CW

United States District Court
For the Northern District of California

1 ANTONIO BURTON, et al., No. C 09-4162 CW

2 Plaintiffs,

3 v.

4 ASTRAZENECA, LP, et al.,

5 Defendants.

6 _____/

7 GLORIA MILLER, et al., No. C 09-4163 CW

8 Plaintiffs,

9 v.

10 ASTRAZENECA, LP, et al.,

11 Defendants.

12 _____/

13 BONG NGYUEN, et al., No. C 09-4166 CW

14 Plaintiffs,

15 v.

16 ASTRAZENECA, LP, et al.,

17 Defendants.

18 _____/

19 DAVID MARTIN, et al., No. C 09-4164 CW

20 Plaintiffs,

21 v.

22 ASTRAZENECA, LP, et al.,

23 Defendants.

24 _____/

25 On May 18, 2012, in response to a motion made by Plaintiffs'
26 counsel, the Court issued an order requiring the Plaintiffs listed
27 in Exhibit A to counsel's motion to show cause why their cases
28 should not be dismissed with prejudice, have new counsel appear

1 before this Court on their behalf, or communicate with counsel
2 regarding their agreement to the Master Settlement Agreement
3 (MSA). The Court warned Plaintiffs that if they failed to comply
4 with that order, their claims would be dismissed with prejudice.
5 The Court further directed Plaintiffs' counsel to file a
6 declaration addressing whether these Plaintiffs have since
7 communicated with counsel regarding their agreement to the MSA.

8 On June 8, 2012, Plaintiffs' counsel filed a declaration,
9 stating that six Plaintiffs, Cox, Hendrix, King, Miklich, Natale
10 and [Sant] Agante contacted counsel to indicate their assent to
11 the MSA, and that counsel is in the process of completing their
12 settlements. Counsel further indicated that four Plaintiffs,
13 Davis, French, Picard and Prestenbeck, have previously resolved
14 their claims. Counsel also states that he learned that two other
15 Plaintiffs, Bipin and Dean, are represented by other counsel, and
16 that he is working with the other counsel to resolve their claims.
17 The Court therefore DISCHARGES its Order to Show Cause as to these
18 twelve Plaintiffs. Counsel shall continue to work diligently
19 toward resolving all Plaintiffs' claims and shall promptly file
20 stipulations of dismissal as appropriate.

21 Plaintiffs' counsel further attests that he provided notice
22 of the Court's order to the other Plaintiffs listed in Exhibit 1
23 of his declaration, and that counsel has not been contacted by
24 these Plaintiffs. The Court notes that these Plaintiffs have also
25 not contacted the Court separately or had new counsel appear
26 before this Court on their behalf. Accordingly, the Court
27 DISMISSES the claims of these Plaintiffs with prejudice.


28

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

Within seven days of the date of this Order, Plaintiffs' counsel shall file a list of Plaintiffs that remain in each of the cases captioned above.

IT IS SO ORDERED.

Dated: 6/20/2012



CLAUDIA WILKEN
United States District Judge