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

HARRY D. WITTHAUER et al.,
Plaintiff(s),
vs.
MCKESSON CORPORATION et al.,
Defendant(s).

Case No.: 12-CV-05937 YGR
ORDER (1) VACATING COMPLIANCE HEARING;
(2) SETTING NEXT COMPLIANCE HEARING; AND
(3) DENYING AS MOOT MOTION TO APPEAR BY
TELEPHONE

Having reviewed the Status Report filed by the Plaintiffs on June 11, 2013, the Court hereby **VACATES** the June 14, 2013 Compliance Hearing and **SETS** the next Compliance Hearing for **Friday, September 13, 2013 at 9:01 a.m.**

Five (5) business days prior to the date of the Compliance Hearing, Plaintiffs must file a Statement updating the Court on the status of the appellate proceedings. If the Statement has been timely filed, no appearance will be required and the Compliance Hearing will be taken off calendar. Telephonic appearances will be allowed if the statement has been submitted in a timely fashion and the Court deems the hearing necessary. Failure to do so may result in sanctions.

In addition, Plaintiffs shall file a notice of ruling when the Ninth Circuit has issued a ruling that terminates the appeal. Failure to file the Statement, appear at the Compliance Hearing, or file a notice that the Ninth Circuit has terminated the appeal may result in sanctions, including monetary sanctions or dismissal.

The Motion to Appear by Telephone at the Status Conference (Dkt. No. 87) is **DENIED AS MOOT.**

IT IS SO ORDERED.

Dated: June 13, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California