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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 JAMES STEPHENS, et al.,

7 Plaintiffs,

8 vs.

9 MCKESSON CORPORATION; ELI LILLY
10 AND COMPANY, et al.,

11 Defendants.

Case No: C 13-4406 SBA


ORDER STAYING ACTION

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13 The parties are presently before the Court on Defendant Eli Lilly and Company's
14 Motion To Stay All Proceedings Pending Resolution Of Ninth Circuit Proceedings and/or
15 Transfer By The Judicial Panel On Multidistrict Litigation. Dkt. 25. Plaintiffs filed a
16 statement of non-opposition to the motion. Dkt. 27. Good cause appearing,

17 IT IS HEREBY ORDERED THAT Defendant's motion to stay is GRANTED. The
18 instant action is stayed and administratively closed pending the Ninth Circuit's decision on
19 whether or not to grant en banc review in Romo v. Teva Pharmaceuticals USA, Inc., 731
20 F.3d 918, 921 (9th Cir. 2013) and Corber v. Xanodyne Pharmaceuticals, No. 13-56306 (9th
21 Cir. Sept. 24, 2013). In the event en banc review is denied, any party may request to
22 reopen the action within thirty (30) days of such decision. If en banc review is granted, any
23 party may move to reopen the action within thirty (30) days of the Ninth Circuit's en banc
24 decision. All pending matters shall be terminated.

25 IT IS SO ORDERED.

26 Dated: 12/10/13

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SAUNDRA BROWN ARMSTRONG
28 United States District Judge