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11 *Attorneys for Defendant*  
 12 *Novartis Pharmaceuticals Corporation*

13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **OAKLAND DIVISION**

16 THE REGENTS OF THE UNIVERSITY OF  
 MICHIGAN,  
 17 and  
 18 THE UNIVERSITY OF SOUTH FLORIDA  
 BOARD OF TRUSTEES,  
 19  
 20 Plaintiffs,  
 21  
 v.  
 22 NOVARTIS PHARMACEUTICALS  
 CORPORATION  
 23  
 24 Defendant.

Case No. 4:22-cv-04913-HSG

**JURY TRIAL DEMANDED**

**JOINT STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND TIME TO ANSWER  
 OR OTHERWISE RESPOND TO  
 COMPLAINT AND TO CONTINUE  
 INITIAL CASE MANAGEMENT  
 CONFERENCE**

[Civil L.R. 6-1, 6-2]

Current Hearing Date: December 13, 2022  
 Hon. Haywood S. Gilliam, Jr.

1 Pursuant to Civil L.R. 6-1 and 6-2, Plaintiffs The Regents of the University of Michigan  
2 and The University of South Florida Board of Trustees (collectively, “Plaintiffs”), and Defendant  
3 Novartis Pharmaceuticals Corporation (“Novartis” or “Defendant”), hereby respectfully stipulate  
4 as follows:

5 1. Plaintiffs filed their complaint against Novartis on August 29, 2022. (Dkt. 1.)

6 2. Based on prior stipulations and a prior order that adopted the most recent  
7 stipulation, Novartis’ current deadline to answer or otherwise respond to the complaint is  
8 November 10, 2022. (Dkt. 29, 34-35.)

9 3. Furthermore, the Initial Case Management Conference is currently scheduled for  
10 December 13, 2022. (Dkt. 35.)

11 4. Pursuant to the Court’s Order Setting Initial Case Management Conference and  
12 ADR Deadlines and the Court’s Order adopting the parties’ stipulation to extend certain deadlines,  
13 the parties are required to meet and confer regarding initial disclosures, early settlement, ADR  
14 process selection, and a discovery plan by November 22, 2022. (Dkt. 9, 35.) The parties are also  
15 required to file an ADR Certification by December 6, 2022. (Dkt. 9, 35.)

16 5. Novartis has requested additional time to answer or otherwise respond to the  
17 complaint, and Plaintiffs have agreed that the deadline for Novartis to answer or otherwise  
18 respond to the complaint shall be extended by 11 days from November 10, 2022, to  
19 November 21, 2022.

20 6. Given this extension, certain deadlines in the Court’s Order Setting Initial Case  
21 Management Conference and ADR Deadlines (Dkt. 9) and further Order continuing Initial Case  
22 Management Conference (Dkt. 35) are set to occur very shortly after Novartis answers or  
23 otherwise responds to the complaint.

24 7. To allow the parties sufficient time to meet the deadlines set in the Court’s Orders  
25 and meet and confer on the positions to be submitted by the parties in the Rule 26(f) Report and  
26 Case Management Statement, the parties respectfully request that the Initial Case Management  
27 Conference be continued by three weeks, to during the week of January 2, 2023, or to a date and  
28 time at the Court’s convenience.

1           8.       There is good cause for the extension to allow the parties to fully consider and  
2 assess case management early in the case.

3           Accordingly, the parties stipulate that the deadline for Novartis to answer or otherwise  
4 respond to the complaint shall be extended to November 21, 2022. The parties further respectfully  
5 request that the Court continue the Initial Case Management Conference by three weeks, to occur  
6 during the week of January 2, 2023, or at the Court's convenience.

7  
8 Dated: November 2, 2022

**FISH & RICHARDSON P.C.**

9 By: /s/ Kelly A. Del Dotto

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**ATTORNEYS FOR PLAINTIFFS THE  
REGENTS OF THE UNIVERSITY OF  
MICHIGAN AND THE UNIVERSITY OF  
SOUTH FLORIDA BOARD OF TRUSTEES**

Dated: November 2, 2022

**MAURIEL KAPOUYTIAN WOODS LLP**

By: /s/ Marc J. Pernick

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**ATTORNEYS FOR DEFENDANT  
NOVARTIS PHARMACEUTICALS  
CORPORATION**

**ATTESTATION**

I, Marc J. Pernick, hereby attest that each of the other Signatories have concurred in the filing of the document, in compliance with Civil L.R. 5-1(h)(3),

/s/ Marc J. Pernick

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The deadline for Novartis to answer or otherwise respond to the Complaint is extended to November 21, 2022; and

The Telephonic Initial Case Management Conference is continued to 1/10/2023, at 2:00 PM.

Dated: 11/3/2022



Hon. Haywood S. Gilliam, Jr.

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23 NOVARTIS PHARMACEUTICALS  
24 CORPORATION

25 Defendant.

Case No. 4:22-cv-04913-HSG

**DECLARATION OF MARC J. PERNICK  
IN SUPPORT OF JOINT STIPULATION  
AND [PROPOSED] ORDER TO EXTEND  
TIME TO ANSWER OR OTHERWISE  
RESPOND TO COMPLAINT AND TO  
CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE**

1 I, Marc J. Pernick, declare as follows:

2 1. I am a partner at Mauriel Kapouytian Woods LLP, counsel for Defendant Novartis  
3 Pharmaceuticals Corporation (“Novartis” or “Defendant”) in this action. I am a member of the  
4 Bar of the State of California. I submit this Declaration in support of the Joint Stipulation and  
5 [Proposed] Order to Extend Time to Answer or Otherwise Respond to Complaint to Continue  
6 Initial Case Management Conference. I have personal knowledge of the matters stated in this  
7 declaration and would testify truthfully to them if called upon to do so.

8 2. Plaintiffs filed their complaint against Novartis on August 29, 2022. (Dkt. 1.)

9 3. Based on prior stipulations and a prior order that adopted the most recent  
10 stipulation, Novartis’ current deadline to answer or otherwise respond to the complaint is  
11 November 10, 2022. (Dkt. 29, 34-35.)

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28 and meet and confer on the positions to be submitted by the parties in the Rule 26(f) Report and

1 Case Management Statement, the parties respectfully request that the Initial Case Management  
2 Conference be continued by three weeks, to during the week of January 2, 2023, or at a date and  
3 time of the Court's convenience.

4 9. There is good cause for the extension to allow the parties to fully consider and  
5 assess case management issues early in the case.

6 I declare under penalty of perjury that the foregoing is true and correct.

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8 Executed this 2<sup>nd</sup> day of November 2022 at New York, NY.

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/s/ Marc J. Pernick  
Marc J. Pernick

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