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**United States District Court**  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Margarita Gaeta, as guardian  
ad litem for A.G., a minor, et al.,

NO. C 05-04115 JW

Plaintiffs,

**ORDER TO SHOW CAUSE RE:  
POTENTIAL LIENS**

v.

Perrigo Pharmaceuticals Co., et al.,

Defendants.

\_\_\_\_\_ /

To:

- (1) Arup Lab
- (2) Children’s Hospital of Central California
- (3) Dr. Parveen Jindal
- (4) Pediatric Anesthesia Associates Medical Group
- (5) Pediatric Pathology Medical Group
- (6) Esoterix, Inc. Laboratory Services
- (7) Focus Diagnostic
- (8) Lucille Packard Children’s Hospital at Stanford
- (9) Stanford Hospital and Clinics
- (10) Valley Specialty Medical Group

- 1 (11) Wishon Radiological Medical Group  
2 (12) California Department of Health Care Services for MediCal,  
3 California Children’s Services Program and any other programs  
4 (13) California Children's Services/Systems of Care  
5 Children's Medical Services Branch

6 (14) Madera County Public Health Department

7 (15) Madera Family Medical Group

8 (16) Santa Clara County Department of Child Support Services

9 Margarita Gaeta and Augustine Gaeta bring this diversity action on behalf of their minor son,  
10 A.G., against Perrigo Pharmaceuticals Company, PAR Pharmaceutical Inc, and BASF Corporation.  
11 Plaintiffs allege A.G. suffered liver failure as a result of his consumption of ibuprofen manufactured  
12 and distributed by Defendants.

13 Plaintiffs and one or more Defendants have reached a settlement and desire to jointly move  
14 the Court to approve the settlement and to declare the settlement to be made in good faith. The  
15 settlement includes amounts which represent payment to the Plaintiffs for medical expenses incurred  
16 by or on behalf of the minor.

17 A portion of the minor’s medical expenses were paid by third party public and private health  
18 beneficiary services and plans. Some or all of these third parties are entitled to be reimbursed from  
19 the proceeds of any settlement. The parties to the case have made an effort to contact all third  
20 parties; to notify them of the proposed settlement; to have the third-party file a claim for  
21 reimbursement from the settlement, and if necessary to perfect any lien which the third party might  
22 assert. The parties have experienced difficulties in having the third parties respond and request the  
23 assistance of the Court.

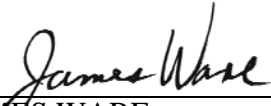
24 The Court finds that in order to protect the interests of the minor and the protect the integrity  
25 of any judgment of the Court approving the settlement and making disbursements, it is necessary in  
26 aid of its jurisdiction to order any claimant to assert its claim or to regard the claim as waived.

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Accordingly, you are ordered to appear on **November 17, 2008 at 9 a.m.** and to show cause, if any, why the Court should not conduct a hearing at which any third party asserting a claim or lien must appear and prove the amount of the claim or lien; enter an order allowing all or a portion of any claim or lien; approving the settlement, and terminate any further claim by you against the settling parties for medical services or benefits provided to the minor up to and as of the date of the order.

Dated: September 30, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Bill Zook bzook@tedlyon.com  
3 Colin C. Munro cmunro@archernorris.com  
4 Colleen T. Davies cdavies@reedsmith.com  
5 Genese Kay Dopson genese.dopson@sdma.com  
6 J. David Bickham dbickham@reedsmith.com  
7 James Conner Barber lojcb@aol.com  
8 Jennifer Brenda Bonneville [jennifer.bonneville@sdma.com](mailto:jennifer.bonneville@sdma.com)  
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10 Juliet W. Starrett jstarrett@reedsmith.com  
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17 Rebecca Marie Biernat Rebecca.Biernat@sdma.com  
18 Thomas Michael Frieder tmf@hassard.com

11 **Arup Lab**  
12 500 Chipeta Way  
13 Salt Lake City, UT 84108-1221

13 **Children's Hospital of Central California**  
14 9300 Valley Children's Place  
15 Madera, CA 93638-8762

15 **Dr. Parveen Jindal**  
16 4646 N. First Street, Suite 102  
17 Fresno, California 93726

17 **Pediatric Anesthesia Associates Medical Group**  
18 6235 N. Fresno St., suite 103  
19 Fresno, CA 93710

19 **Pediatric Pathology Medical Group**  
20 9300 Valley Children's Place  
21 Madera, California 93636-8761

21 **Esoterix, Inc. Laboratory Services**  
22 4301 Lost Hills Road  
23 Calabasas Hills, CA 91301

23 **Focus Diagnostic**  
24 5785 Corporate Avenue  
25 Cypress, CA 90630

25 **Lucile Packard Children's Hospital at Stanford**  
26 725 Welch Road  
27 Palo Alto, CA 94304

27

28

1 **Stanford Hospital and Clinics**  
300 Pasteur Drive  
2 Stanford, CA 94305

3 **Valley Specialty Medical Group**  
EMMI Physician Services, Inc.  
4 3116 W. March Lane, Suite 200  
Stockton California, 95219

5 **Wishon Radiological Medical Group**  
6 1504 N. Wishon  
Fresno, CA 93728

7 **State of California Health and Human Services Agency**  
8 **Department of Healthcare Services**  
9 **Children's Medical Services Branch/**  
10 **California Children's Services/System of Care**  
MS 8100  
PO Box 997413  
Sacramento, California 95899-7413

11 **Madera County Public Health Department**  
12 14215 Road 28  
Madera, CA 93638

13 **Madera Family Medical Group**  
14 1111 W. Fourth Street  
Madera, CA 93637

15 **Santa Clara County Department of Child Support Services**  
16 2851 Junction Avenue  
San Jose, CA 95134

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19 **Dated: September 30, 2008**

**Richard W. Wieking, Clerk**

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21 **By:           /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**

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