

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

United States District Court  
For the Northern District of California

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

Margarita Gaeta, et al.,  
Plaintiffs,  
v.  
Perrigo Pharmaceuticals Company,  
Defendant.

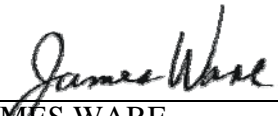
NO. C 05-04115 JW

**ORDER VACATING CASE  
MANAGEMENT CONFERENCE;  
ADMINISTRATIVELY CLOSING CASE**

This case is scheduled for a Case Management Conference on December 12, 2011. On December 2, 2011, the parties filed a Joint Case Management Conference Statement informing the Court that on October 31, 2011, the Supreme Court granted Defendant's petition for a writ of certiorari, vacated the judgment, and remanded the case to the Ninth Circuit for further consideration in light of PLIVA, Inc. v. Mensing.<sup>1</sup> (Joint Case Management Statement at 2, Docket Item No. 397.)

In light of the Supreme Court's order, the Court VACATES the Conference as unnecessary. Pending the Ninth Circuit review of the case, the Court ORDERS the Clerk of Court to administratively CLOSE this case. Within ten days of the Ninth Circuit's order on remand from the Supreme Court, either party may move to have the case reopened.

Dated: December 5, 2011

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

\_\_\_\_\_  
<sup>1</sup> 131 S. Ct. 2567 (2011).

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

- 2 Andrew Joseph Spielberger witzer@witzerlaw.com
- 3 Bill Zook bzook@tedlyon.com
- 4 Brian David Witzer witzer@witzerlaw.com
- 5 Colin C. Munro cmunro@archernorris.com
- 6 Colleen T. Davies cdavies@reedsmith.com
- 7 David D Mesa david.mesa@sdma.com
- 8 Genese Kay Dopson genese.dopson@sdma.com
- 9 J. David Bickham dbickham@reedsmith.com
- 10 James Conner Barber jcb888@aol.com
- 11 Jennifer Brenda Bonneville jennifer.bonneville@sdma.com
- 12 Joseph P. Thomas jthomas@ulmer.com
- 13 Judith Belle Anderson janderson@archernorris.com
- 14 Juliet W. Starrett jstarrett@reedsmith.com
- 15 Kelly Savage Day kelly.savage@sdma.com
- 16 Kenneth C. Ward kcward@archernorris.com
- 17 Marquette William Wolf mwolf@tedlyon.com
- 18 Meghan Kathleen Landrum mklandrum@reedsmith.com
- 19 Michael F. Healy michael.healy@sdma.com
- 20 Miranda Picken Neal miranda.neal@madera-county.com
- 21 Prentiss Wilmer Hallenbeck phallenbeck@ulmer.com
- 22 Randall Penner penner.bradley@sbcglobal.net
- 23 Rebecca Marie Biernat Rebecca.Biernat@tuckerellis.com
- 24 Rowena Javier Dizon rowena@witzerlaw.com
- 25 Thomas Michael Frieder tmf@hassard.com

15 **Dated: December 5, 2011**

**Richard W. Wieking, Clerk**

16  
17 **By:           /s/ JW Chambers**  
18 **Susan Imbriani**  
19 **Courtroom Deputy**

20  
21  
22  
23  
24  
25  
26  
27  
28