

E-Filed 7/9/10

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 12 and SANDOZ INC.

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

16 SERGIO L. CARREON, as Surviving Spouse
 of SUSANA Y. CARREON, Deceased,

17
 18 Plaintiff,

19 v.

20 ALZA CORPORATION, SANDOZ INC., and
 DOES 1 through 100, inclusive,

21 Defendants.
 22

CASE NO. C 09 05623 RS

STIPULATED MOTION AND
~~**PROPOSED**~~ **ORDER TO EXTEND**
DEADLINE FOR MEDIATION
UNDER ADR L.R. 6-5 AND CIVIL
L.R. 7

23
 24 TO THE CLERK OF THE UNITED STATES DISTRICT COURT, NORTHERN
 25 DISTRICT OF CALIFORNIA, AND TO ALL PARTIES:

26 Pursuant to ADR L.R. 6-5 and Civil L.R. 7, Defendants ALZA Corporation and Sandoz
 27 Inc. (collectively, "Defendants"), through their counsel, hereby requests that the Court extend the
 28 deadline for the parties to complete Mediation.

1 On March 25, 2010, this Court issued the "Case Management Scheduling Order." This
2 order referred this case to mediation to be completed within one hundred and twenty (120) days.
3 On March 29, 2010, this Court appointed a mediator, Robert F. Espstein.

4 After the appointment of the mediator, the parties participated in a pre-mediation
5 teleconference with the mediator. Essentially, the parties generally discussed the issues involved
6 in this case and agreed to mediate this matter on July 21, 2010.

7 At present, however, Plaintiff has not been deposed and his deposition is necessary for
8 the mediation. Defendants' and Plaintiff's counsel have worked diligently to schedule Plaintiff's
9 deposition, but scheduling conflicts have prevented this deposition from going forward.
10 Currently, Plaintiff's deposition is set for July 20, 2010. Furthermore, Defendants expect that
11 information learned during Plaintiff's deposition may ultimately result in their need to conduct
12 additional discovery. As such, mediating this case at this time would be unproductive.

13 In addition, both parties have agreed to have Paul Finn mediate this case. Given the
14 medical, scientific, and manufacturing issues presented in this case, it is necessary to have a
15 mediator who is familiar with these issues. Mr. Finn has successfully mediated other similar
16 cases involving the similar medical, scientific, and manufacturing issues presented here.

17 Plaintiff's counsel does not oppose this extension and concurs with this request.
18 Accordingly, both parties agree to complete the mediation by September 27, 2010. Both parties
19 further agree to have Paul Finn mediate this case. Furthermore, the mediation deadline extension
20 will have no effect on any other dates set forth in the case management order.

21 DATED: 7/7/10

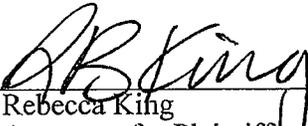
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DATED: 7/7/10

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[PROPOSED] ORDER

IT IS SO ORDERED.

Pursuant to the Stipulation above, the Court hereby extends the deadline for the Mediation to occur no later than September 27, 2010. The Court also hereby permits the parties and counsel to use Paul Finn to mediate this case. Furthermore, the mediation deadline extension will have no effect on any other dates set forth in the case management order.

DATED: 7/8/10



JUDGE OF THE DISTRICT COURT