

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 15-02546-RM-MEH

SONNY P. MEDINA,

Plaintiffs,

v.

CLOVIS ONCOLOGY, INC., *et al.*,

Defendants.

ORDER

This matter is before the Court *sua sponte* upon review of this case. On November 19, 2015, plaintiff Sonny Medina (“plaintiff”) initiated this case with the filing of a “Class Action Complaint for Violations of the Federal Securities Laws and Jury Trial Demand” (“the Complaint”) (ECF No. 1) against defendants Clovis Oncology, Inc. and Patrick J. Mahaffy (collectively, “defendants”). As of the date of this Order—that is two months after the filing of the Complaint—neither proposed summons, nor, alternatively, waiver of service have been filed with the Court. Perhaps as a result, counsel for defendants has not yet filed an appearance in this case.¹ This is problematic given that numerous parties have recently filed various motions related to, *inter alia*, appointing lead plaintiffs in this case and consolidating this case with two others that have been filed in this District against defendants. The response deadline for those motions is February 9, 2016.

¹ The electronic docket sheet for this case shows Attorney Jeffrey Mark Villanueva as representing defendant Clovis Oncology, Inc. This is incorrect, as Attorney Villanueva is representing and recently filed a motion on behalf of Vikram B. Kothari, Barbara Fayeulle-Frey, and Suzanne J. Real in their capacities as movants for lead-plaintiff status in this case. (ECF No. 10.)

As a result, the Court ORDERS as follows:

- (1) Plaintiff, represented by Attorney Alexander Krot, is ORDERED to file a Proposed Summons on or before January 22, 2016;
- (2) Plaintiff is further ORDERED to serve the Summons and Complaint on defendants on or before, and preferably long before, February 17, 2016; and
- (3) The response deadline for the motions to consolidate related actions, appoint lead plaintiff, and approve selection of lead counsel (ECF Nos. 10, 14, 15, 16, 17, 18) is **February 9, 2016**. Other than for defendants, this deadline will not be extended absent exigent circumstances.²

The Clerk is ORDERED to file a Notice of Entry of this Order on the docket of cases: 1:15-cv-02547-RBJ and 1:15-cv-02697-CBS.

SO ORDERED.

DATED this 21st day of January, 2016.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge

² Depending on when defendants are served with the Summons and Complaint, or when they otherwise became aware of the filing of the above-mentioned motions, they may be entitled to an extension of this deadline.