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Attorneys for Plaintiffs and the Class

9 **UNITED STATES DISTRICT COURT**  
 10 **EASTERN DISTRICT OF CALIFORNIA**  
 11 **SACRAMENTO DIVISION**

LINDSAY & STONEBARGER  
 A Professional Corporation

12 NICHOLE BROWNFIELD, an individual; and )  
 13 KIERA CHAMBERS, an individual, on behalf )  
 14 of themselves and all others similarly situated, )

Plaintiffs, )

vs. )

15 BAYER CORPORATION; BAYER )  
 16 HEALTHCARE PHARMACEUTICALS, INC.; )  
 17 BAYER PHARMACEUTICALS )  
 18 CORPORATION; BAYER HEALTHCARE, )  
 19 LLC; BAYER HEALTHCARE A.G.; BERLEX )  
 20 LABORATORIES, INC.; and DOES 1 through )  
 21 50, inclusive, )

Defendants. )

CASE NO. 2:09-CV-00444-JAM-GGH

**CLASS ACTION**

**JOINT STIPULATION FOR  
 MODIFICATION OF ORDER  
 REQUIRING JOINT STATUS REPORT**

Judge: Hon. John A. Mendez

1 Plaintiffs, Nichole Brownfield and Kiera Chambers, and Defendant, Bayer Healthcare  
2 Pharmaceuticals, Inc. (hereinafter collectively referred to as the "Parties"), by and through their  
3 respective attorneys, respectfully submit this Joint Stipulation and [Proposed] Order to Modify  
4 Order Requiring Joint Status Report, issued on February 13, 2009. Specifically, the Parties  
5 request that this Court issue an Order continuing the date by which the Parties were ordered to  
6 submit a Joint Status Report and Rule 26(f) Discovery Plan to the Court. The Parties have begun  
7 to meet and confer with regard to the Joint Status Report and Rule 26(f) Discovery Plan. The  
8 Parties believe, though, that modification is warranted so that the Parties can continue their meet  
9 and confer efforts; and because Defendant's Motion to Dismiss and Motion to Strike Complaint  
10 are currently pending before the Court, and are scheduled for hearing on May 6, 2009.

11 Accordingly, the Parties stipulate, agree and respectfully request that the Court enter an  
12 order providing that:

13 1. The deadline for the Parties to submit a Joint Status Report and Rule 26(f)  
14 Discovery Plan to the Court be extended until thirty (30) days after the Court enters an Order on  
15 Defendant's Motion to Dismiss and Motion to Strike Complaint.

16  
17 SO STIPULATED by Plaintiff.

18 Dated: April 27, 2009

LINDSAY & STONEBARGER, APC

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By: /s/ Gene J. Stonebarger  
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Attorneys for Plaintiffs and the Class

SO STIPULATED by Defendant.

Dated: April 27, 2009

DLA PIPER LLP (US)

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By: /s/ Shirli F. Weiss  
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**ORDER**

IT IS SO ORDERED.

DATED: April 27, 2009

/s/ John A. Mendez  
The Honorable John A. Mendez  
Judge of the U.S. District Court