

McDONALD CARANO

2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102
PHONE 702.873.4100 • FAX 702.873.9966

1 PAT LUNDVALL
2 Nevada Bar No. 3761
3 McDONALD CARANO LLP
4 2300 West Sahara Avenue, Suite 1200
5 Las Vegas, NV 89102
6 Telephone: (702) 873-4100
7 lundvall@mcdonaldcarano.com

8 Robert N. Weiner
9 Admitted Pro Hac Vice
10 Jeffrey L. Handwerker
11 Admitted Pro Hac Vice
12 R. Stanton Jones
13 Admitted Pro Hac Vice
14 ARNOLD & PORTER KAYE SCHOLER LLP
15 601 Massachusetts Avenue, NW
16 Washington, DC 20001
17 Telephone: (202) 942-5000
18 robert.weiner@apks.com
19 jeffrey.handwerker@apks.com
20 stanton.jones@apks.com

21 *Attorneys for Plaintiffs Pharmaceutical
22 Research and Manufacturers of America
23 and Biotechnology Innovation Organization*

24 **UNITED STATES DISTRICT COURT
25 DISTRICT OF NEVADA**

26 PHARMACEUTICAL RESEARCH AND
27 MANUFACTURERS OF AMERICA and
28 BIOTECHNOLOGY INNOVATION
ORGANIZATION,

Plaintiffs,

vs.

BRIAN SANDOVAL, in his official capacity
as Governor of the State of Nevada,
RICHARD WHITLEY, in his official
capacity as Director of the Nevada
Department for Health and Human
Services, and

NEVADA LEGISLATURE,

Defendants.

Case No.: 2:17-cv-02315-JCM-CWH

**STIPULATION AND
ORDER TO EXTEND BRIEFING DUE
DATES**

(First Request)

1 On October 5, 2017, Nevada Legislature (“Legislature”) filed its Motion for
2 Summary Judgement. (ECF no. 46). On October 26, 2017, plaintiffs Pharmaceutical
3 Research and Manufacturers of America and Biotechnology Innovation Organization
4 (“PhRMA and BIO”) opposed the Legislature’s Motion for Summary Judgment (ECF no.
5 65) and filed a Countermotion for Summary Judgment (ECF no. 66).

6 The parties wish to consolidate and to extend due dates for the Legislature’s
7 reply in support of its motion for summary judgment with its opposition to PhRMA and
8 BIO’s motion for summary judgment, and establish a single due date for that
9 consolidated brief, which is limited to 30 pages, excluding exhibits, under LR 7-3(a). A
10 similar extension for the due date for defendants Brian Sandoval and Richard Whitley
11 (“State Defendants”) to oppose PhRMA/BIO’s motion for summary judgment will allow
12 PhRMA and BIO to consider both oppositions before filing any reply and any
13 consolidated reply will be limited to 30 pages, excluding exhibits.

14 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and
15 among the parties, pursuant to LR IA 6-1, that the Legislature may file a consolidated
16 brief, which is limited to 30 pages, excluding exhibits, under LR 7-3(a), as its reply in
17 support of its motion for summary judgment and an opposition to PhRMA/BIO’s
18 countermotion for summary judgment on November 20, 2017, and that the State
19 Defendants may file their opposition to PhRMA/BIO’s motion for summary judgment on
20 November 20, 2017. Any consolidated reply from PhRMA and BIO will be due on
21 December 4, 2017 and will be limited to 30 pages, excluding exhibits.

22 **IT IS FURTHER STIPULATED AND AGREED**, that the parties execute this
23 stipulation in good faith and not for the purposes of delay, and that they do not to waive

24 ///
25 ///
26 ///
27 ///
28 ///

1 any substantive or procedural right. The parties have not previously requested any
2 extension of the due dates referenced herein.

3 DATED this 3rd day of November 2017.

4
5 MCDONALD CARANO LLP

NEVADA LEGISLATIVE COUNSEL BUREAU
LEGAL DIVISION

6
7 By: /s/ Pat Lundvall

By: /s/ Kevin C. Powers

8 Pat Lundvall
9 2300 W. Sahara Avenue
10 Suite 1200
11 Las Vegas, Nevada 89148
12 Tel: (702) 873-4100

Brenda J. Erdoes, Legislative Counsel
Nevada Bar No. 3644
Kevin C. Powers, Chief Litigation
Counsel
Nevada Bar No. 6781
401 Carson Street
Carson City, NV 89701
Tel: (775) 684-6830
*Attorneys for Defendant Nevada
Legislature*

11 Robert N. Weiner
12 Admitted Pro Hac Vice
13 Jeffrey L. Handwerker
14 Admitted Pro Hac Vice
15 R. Stanton Jones
16 Admitted Pro Hac Vice
17 ARNOLD & PORTER KAYE
18 SCHOLER LLP
19 601 Massachusetts Avenue, NW
20 Washington, DC 20001
21 Telephone: (202) 942-5000

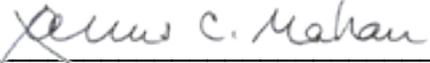
OFFICE OF THE ATTORNEY GENERAL

22 *Attorneys for Plaintiffs
23 Pharmaceutical Research and
24 Manufacturers of America and
25 Biotechnology Innovation
26 Organization*

By: /s/ Linda C. Anderson

Adam Paul Laxalt
Attorney General
Linda C. Anderson
Chief Deputy Attorney General
Nevada Bar No. 4090
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
Tel: (702) 486-3077
Attorneys for State Defendants

27 **IT IS SO ORDERED:**


UNITED STATES DISTRICT JUDGE

28 DATED: November 7, 2017