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 Walmart Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LILIA OLESON individually, and as mother,
 general guardian of I.L., a minor,

Plaintiff,

vs.

WAL-MART STORES INC.,

Defendants.

Case No.: 2:22-cv-01026-RFB-DJA

**STIPULATION AND ORDER TO
 EXTEND THE DEADLINE FOR
 DEFENDANT TO RESPOND TO
 PLAINTIFF'S COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between: Defendant Walmart Inc., by and through its attorneys KURT R. BONDS, ESP., and PATRICE STEPHENSON-JOHNSON, ESQ., of ALVERSON TAYLOR & SANDERS and Plaintiff LILIA OLESON, by and through her attorneys BRIAN E. HOLTHUS, ESQ of JOLLEY URGAS WOODBURY & HOLTHUS, and WARREN POSTMAN and ASHLEY KELLER of KELLER POSTMAN, LLC, Pro Hac Vice, that the deadline for Walmart to answer, move, or otherwise respond to Plaintiff's Complaint is extended until thirty (30) days following the ruling by the Judicial Panel on Multidistrict Litigation (the "JPML") on the Motion to Transfer Actions Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceedings ("Motion to Transfer").

This matter relates to products liability where Plaintiff alleges that Defendant failed to warn

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1 a bout the dangers of prenatal exposure to Paracetamol, also known as Acetaminophen, and
2 its alleged propensity to causes autism spectrum disorder and attention-deficit/hyperactivity
3 disorder in children.

4 On June 10, 2022, a Motion to Transfer Actions Pursuant to 28 U.S.C. § 1407
5 for Coordinated or Consolidated Pretrial Proceedings (“Motion to Transfer”) was filed with the
6 Judicial Panel on Multidistrict Litigation (the “JPML”) in In re: Acetaminophen – ASD/ADHD
7 Products Liability Litigation, MDL No. 3043, seeking transfer and coordination for pretrial
8 purposes of all currently filed actions and subsequently filed related actions, that allege wrongful
9 conduct relating to the over-the-counter drug, Acetaminophen. See In re: Acetaminophen – ASD/
10 ADHD Prods. Liab. Litig., MDL No. 3043, Dkt. 1 (J.P.M.L. June 10, 2022).

11 On July 29, 2022, Plaintiff filed this action, Oleson v. Wal-Mart Stores, No. 2:22-cv-01026,
12 against Defendant Walmart.

13 On July 29, 2022, Plaintiff filed a Notice of Related Action with the JPML in In
14 re: Acetaminophen – ASD/ADHD Products Liability Litigation, MDL No. 3043 notifying the
15 Panel of this action. In re: Acetaminophen, MDL No. 3043, Dkt. 37 (J.P.M.L. July 29, 2022).

16 The Motion to Transfer will be heard by the JPML during its September 29, 2022 Panel
17 Hearing Session. In light of the Motion to Transfer’s request to coordinate the instant action and all
18 related actions in a multidistrict litigation, and because that Motion will not be heard by the
19 JPML until September 29, 2022:

20 IT IS HEREBY STIPULATED and AGREED, by and between the Parties, that the time for
21 Walmart to respond to Plaintiff’s Complaint shall be extended to thirty (30) days after the JPML’s
22 ruling on the Motion to Transfer.

23 This stipulation is based on the following:

- 24 1. On June 29, 2022, Defendant received Plaintiff’s Complaint that included extensive
25 allegations.
- 26 2. The Motion to Transfer will be heard by the JPML during its September 29, 2022
27 Panel Hearing Session. In light of the Motion to Transfer’s request to coordinate the
28

instant action and all related actions in a multidistrict litigation, and because that Motion will not be heard by the JPML until September 29, 2022:

3. IT IS HEREBY STIPULATED and AGREED, by and between the Parties, that the time for Walmart to respond to Plaintiff's Complaint shall be extended until thirty (30) after the JPML's ruling on the Motion to Transfer.

IT IS SO AGREED AND STIPULATED:

DATED: 9/14/2022

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Attorneys for Defendants

DATED: 9/14/2022

JOLLEY URG A WODBURY & HOLTHUS

/s/Ashley Barriere

BRIAN E. HOLTHUS, ESQ.

Nevada Bar No. 2720

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ASHLEY KELLER (*Pro Hac Vice forthcoming*)

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Chicago IL, 60606

(312) 741-5222

Attorneys for Plaintiff

IT IS THEREFORE ORDERED that the parties' stipulation (ECF No. 22) is **GRANTED IN PART AND DENIED IN PART**. In the interest of having a concrete deadline, Walmart shall have until **October 31, 2022** to respond to Plaintiff's complaint. If necessary, the parties may stipulate to extend this deadline.



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: September 15, 2022

Deirdre Renfro

From: Maria Walters <MW@juwlaw.com>
Sent: Wednesday, September 14, 2022 2:36 PM
To: Deirdre Renfro
Cc: Patrice Stephenson-Johnson; Kurt Bonds; 'Jennifer Stewart'; Austin Evans; Brian Holthus; Ashley Barriere; Marissa Spalding; Andy Ho
Subject: RE: SAO to Extend Deadline for Defendant to Respond to Complaint

Dear Deirdre,

We agree to the 30 day extension to answer the Complaint. You may affix Ashley Barriere's e-signature to both stipulations to extend the deadline for defendant to respond to the Complaints.

Sincerely,

Maria T. Walters
Legal Assistant to
Brian E. Holthus, Esq. and Michael R. Ernst, Esq.
Jolley Urga Woodbury & Holthus
50 S. Stephanie Street
Suite 202
Las Vegas, Nevada 89012
T 702.699.7500
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JOLLEY URGA | attorneys
WOODBURY & HOLTHUS | at law

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From: Deirdre Renfro <DRenfro@AlversonTaylor.com>
Sent: Tuesday, September 13, 2022 3:59 PM
To: Maria Walters <MW@juwlaw.com>; Brian Holthus <beh@juwlaw.com>
Cc: Patrice Stephenson-Johnson <PStephenson@AlversonTaylor.com>; Kurt Bonds <KBonds@AlversonTaylor.com>; 'Jennifer Stewart' <JStewart@KSLAW.com>; Austin Evans <AEvans@KSLAW.com>
Subject: SAO to Extend Deadline for Defendant to Respond to Complaint
Importance: High

Please review the attached SAO to extend deadline for Defendant to Respond to Complaint. If you have any questions of revisions please let me know, if not please let me know if we may affix your signature.

Thank you,

Deirdre Renfro
LEGAL ASSISTANT



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