

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF EVERETT, a Washington
municipal corporation,

Plaintiff,

V.

PURDUE PHARMA, L.P., a Delaware limited partnership; PURDUE PHARMA, INC., a New York corporation; THE PURDUE FREDERICK COMPANY, INC., a New York corporation; and JOHN AND JANE DOES 1 THROUGH 10, individuals who are executives, officers, and/or directors of Purdue.

Defendants.

Case No. 2:17-CV-00209

**STIPULATED MOTION AND
ORDER REGARDING BRIEFING
SCHEDULE AND PAGE LIMITS ON
MOTION TO DISMISS**

STIPULATION

1. Defendants Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. (collectively, “Defendants”) have filed a Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(B)(6) [Dkt. No. 8] (the “Dismissal Motion”).

2. The deadline for Plaintiff City of Everett (“Plaintiff”) to file its opposition papers to the Dismissal Motion is currently May 10, 2017. *See* Dkt. No. 11. Due to unanticipated emergencies in other matters and other unexpected scheduling issues, counsel for Plaintiff have requested a short, 6-business day extension to May 18, 2017.

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3. Counsel for Defendants do not oppose this request, and request a corresponding short extension of the deadline for Defendants to file their reply brief. Specifically, Defendants request to file their reply brief on June 8, 2017 and re-note their Dismissal Motion for June 9, 2017.

4. In addition, the Court previously granted the Plaintiff permission to file an over-length opposition brief, permitting 6 additional pages. *See* Dkt. No. 13. In negotiating that extension, the Plaintiff agreed to allow the Defendants an equivalent extension of 3-pages for their reply. Accordingly, the Defendants request three additional pages for their reply brief, which Plaintiff does not oppose.

5. Counsel for the parties have met and conferred in good faith regarding the deadlines, briefing schedule, and page limits, and believe there is good cause for the requested extensions of time, proposed briefing schedule, and page limits, and the parties' stipulation will not delay this proceeding or cause prejudice.

6. Accordingly, pursuant to the parties' stipulation, and subject to the Court's approval, the parties specifically agree as follows:

- (a) The deadline for Plaintiff to file its opposition brief to the pending Dismissal Motion is extended to May 18, 2017.
- (b) The deadline for Defendants to file their reply brief is extended to June 8, 2017.
- (c) Defendants may file an over-length reply brief not to exceed 15 pages in length.
- (d) The pending Dismissal Motion shall be re-noted to June 9, 2017.

SO STIPULATED this May 3, 2017.

ORDER

Pursuant to the above Stipulated Motion, **IT IS ORDERED:**

1. The deadline for Plaintiff to file its opposition brief to the pending Dismissal Motion is extended to May 18, 2017.
2. The deadline for Defendants to file their reply brief is extended to June 8, 2017.
3. Defendants may file an over-length reply brief not to exceed 15 pages in length.
4. The pending Dismissal Motion shall be re-noted to June 9, 2017.

DATED this 4th day of May, 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE