

1 MICHELLE A. CHILDERS (SBN #197064)  
 SALLY F. WHITE (SBN #273765)  
 2 DRINKER BIDDLE & REATH LLP  
 50 Fremont Street, 20th Floor  
 3 San Francisco, CA 94105-2235  
 Telephone: (415) 591-7500  
 4 Facsimile: (415) 591-7510

5 T. HAROLD PINKLEY (SBN #230503)  
 Butler Snow LLP  
 6 The Pinnacle at Symphony Place  
 150 – 3rd Avenue South, Suite 1600  
 7 Nashville, TN 37201  
 Telephone: (615) 651-6715  
 8 Facsimile: (615) 651-6701

9 Attorneys for Defendant  
 ETHICON, INC.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

14 MARLENE ALVAREZ, et al.,  
 15 Plaintiffs,

16 v.

17 AMERICAN MEDICAL SYSTEMS,  
 18 INC., C.R. BARD, INC., BOSTON  
 SCIENTIFIC CORPORATION,  
 19 ETHICON, INC., COLOPLAST  
 CORPORATION and DOES 1-500,  
 20 inclusive,

21 Defendants.

Case No. CV-05796 EMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER GRANTING DEFENDANT’S  
 STIPULATED MOTION TO STAY ALL  
 PROCEEDINGS PENDING A DECISION  
 TO TRANSFER TO MDL NO. 2325, IN RE  
 AMERICAN MEDICAL SYSTEMS, INC.,  
 PELVIC REPAIR SYSTEM PRODUCTS  
 LITIGATION**

Date: February 6, 2014  
 Time: 1:30 p.m.  
 Judge: Edward M. Chen  
 Dept: Courtroom 5, 17th Floor

23 WHEREAS, Plaintiffs originally filed this action against Defendants American Medical  
 24 Systems, Inc. (“AMS”), C.R. Bard, Inc., Boston Scientific Corporation, Ethicon, Inc., and  
 25 Coloplast Corporation (collectively “Defendants”) in the Superior Court of the State of  
 26 California for the County of Alameda, Case No. RG13687315.

27 WHEREAS, on December 13, 2013, with the consent of all properly joined and served  
 28 defendants, Defendant AMS removed this case to the United States District Court for the

1 Northern District of California on the basis of jurisdiction under 28 U.S.C. §§ 1332(a), (d), 1441,  
2 1446, & 1453;

3 WHEREAS, pursuant to 28 U.S.C. § 1407(a), on February 7, 2012, the Judicial Panel on  
4 Multidistrict Litigation (“JPML”) issued a Transfer Order centralizing all MDL No. 2325 actions  
5 in the Southern District of West Virginia before the Honorable Joseph R. Goodwin, in *In re*  
6 *American Medical Systems, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, 844 F. Supp. 2d 1359  
7 (J.P.M.L. 2012);

8 WHEREAS, this case involves questions of fact common to those cases pending in MDL  
9 2325, and Defendant AMS filed a Notice of Potential Tag-Along Action with the JPML regarding  
10 this case, in accordance with the Rules of Procedure of the JPML; and

11 WHEREAS, Defendant has moved this Court to stay all proceedings in this action  
12 pending a decision by the United States Judicial Panel on Multidistrict Litigation on the transfer  
13 of this action to the Southern District of West Virginia as part of MDL No. 2325 before the  
14 Honorable Joseph R. Goodwin. *See* 28 U.S.C. § 1407; Transfer Order, MDL No. 2325, *In re*  
15 *American Medical Systems, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, 844 F. Supp. 2d 1359  
16 (J.P.M.L. 2012);

17 IT IS THEREFORE STIPULATED, by the parties through their respective counsel, as  
18 follows:

19 The Stipulated Motion to Stay All Proceedings Pending Decision on Transfer to MDL No.  
20 2325, *In re American Medical Systems, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, is  
21 GRANTED. The case is STAYED until further action by this Court or transfer by the United  
22 States Judicial Panel on Multidistrict Litigation. The parties are relieved of any pleading,  
23 discovery, or other obligation until further notice. The case is administratively closed pending a  
24 ruling on such transfer.

25 IT IS SO STIPULATED.  
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Dated: December 20, 2013

REED SMITH LLP

By: /s/ J. David Bickham

J. David Bickham  
Lynn A. Combs

Attorneys for Defendant  
AMERICAN MEDICAL SYSTEMS, INC.

Dated: December 20, 2013

REED SMITH LLP

By: /s/ Eric J. Buhr

Eric J. Buhr

Attorneys for Defendant  
C.R. BARD, INC.

Dated: December 20, 2013

SHOOK HARDY & BACON LLP

By: /s/ Brian P. Ziska

Brian P. Ziska

Attorneys for Defendant  
BOSTON SCIENTIFIC CORPORATION

Dated: December 20, 2013

DRINKER BIDDLE & REATH LLP

By: /s/ Michelle A. Childers

Michelle A. Childers  
Sally F. White

Attorneys for Defendant  
ETHICON, INC.

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Dated: December 20, 2013

FULBRIGHT & JAWORSKI LLP

By: /s/ Lesley E. Swanson  
Lesley E. Swanson

Attorneys for Defendant  
COLOPLAST CORPORATION

Dated: December 20, 2013

POLLARD BAILEY

By: /s/ Dylan F. Pollard  
Dylan F. Pollard

Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/7, ~~2013~~ 2014



JUDGE OF THE UNITED STATES  
DISTRICT COURT