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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

IN RE INCRETIN-BASED
THERAPIES PRODUCTS LIABILITY
LITIGATION

CASE NO. 13-MD-2452 AJB (MDD)

**JOINT MOTION TO MODIFY
GENERAL CAUSATION
SCHEDULING ORDER**

Judge: Hon. Anthony J. Battaglia
Magistrate: Hon. Mitchell D. Dembin

1 The parties submit this Joint Motion to Modify General Causation
2 Scheduling Order and state the following in support:

3 1. Pursuant to the Court's April 21, 2015 Order Granting Joint Motion
4 for Modification of Scheduling Order, depositions of General Causation Experts
5 were to be completed by September 18, 2015.

6 2. Plaintiffs have submitted the reports of 14 experts, and defendants
7 collectively have submitted the reports of 10 experts.

8 3. While the parties have successfully scheduled many of their experts
9 for deposition prior to September 18, 2015, despite their best efforts and given
10 their experts' schedules, the parties have not been able to schedule others for
11 deposition until after that time.

12 4. Accordingly the parties jointly move the Court to extend the time by
13 which they must complete depositions of General Causation Experts to
14 October 30, 2015.

15 5. Additionally, plaintiffs on July 13, 2015 served a rebuttal report by
16 their Expert Dr. Rebecca Betensky, an expert they had not previously disclosed.
17 Much of the Betensky report concerns analysis done by Novo Nordisk expert
18 Dr. Sheila Weiss.

19 6. The parties have discussed and agreed that defendant Novo Nordisk
20 may serve a sur-rebuttal to Dr. Betensky's report no later than August 20, 2015.

21 Accordingly, the parties jointly move the Court to grant their Motion and
22 modify its Scheduling Order such that: 1) depositions of General Causation
23 Experts shall be completed by October 30, 2015; and 2) defendant Novo Nordisk
24 may serve a sur-rebuttal to Dr. Betensky's report no later than August 20, 2015.

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Dated: August 10, 2015

Respectfully submitted:

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By: /s/ Robert M. Howard

Attorneys for Defendant
Eli Lilly and Company, a corporation

Dated: August 10, 2015

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Dated: August 10, 2015

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Dated: August 10, 2015

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By: /s/ Ryan L. Thompson

Plaintiffs' Counsel

Dated: August 10, 2015

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By: /s/ Hunter J. Shkolnik

Plaintiffs' Counsel

Dated: August 10, 2015

MICHAEL S. BERG
LAW OFFICES OF MICHAEL S. BERG

By: /s/ Michael S. Berg

Plaintiffs' Counsel

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Dated: August 10, 2015

TOR A. HOERMAN
JACOB W. PLATTENBERGER
TORHOERMAN LAW LLC

By: /s/ Tor A. Hoerman

Plaintiffs' Counsel

SIGNATURE ATTESTATION

Pursuant to Section 2.f.4 of the Court's CM/ECF Administrative Policies, I hereby certify that authorization for the filing of this document has been obtained from each of the other signatories shown above and that all signatories have authorized placement of their electronic signature on this document.

/s/ Robert M. Howard

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CERTIFICATE OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 12670 High Bluff Drive, San Diego, CA 92130.

On August 10, 2015, I served the following document described as:

JOINT MOTION TO MODIFY GENERAL CAUSATION SCHEDULING ORDER

by serving a true copy of the above-described document in the following manner:

BY ELECTRONIC FILING

I am familiar with the United States District Court, Southern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities. Under said practice, all parties to this case have been served electronically.

I declare that I am employed in the office of a member of the Bar of California, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 10, 2015, at San Diego, California



Alison L. Montera