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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 August 11, 2015 Order Granting Joint Motion
4 to Modify General Causation Scheduling Order, depositions of General Causation
5 Experts must be completed by October 30, 2015;

6 2. The parties have worked together to schedule and complete
7 depositions of their experts and have completed 14 depositions to date.

8 3. Despite the parties' best, good faith efforts, their experts' competing
9 schedules and scheduling delays pending resolution of a recent dispute relating to
10 use of data from an ongoing trial will prevent the parties from completing
11 depositions of all 24 of their experts by the October 30, 2015 deadline;

12 4. Working to accommodate their experts' schedules, as well as those of
13 all counsel involved, the parties have agreed upon a schedule for the remaining ten
14 depositions, all but two of which will be completed before the Thanksgiving
15 holiday, with the final deposition of an expert, whose earlier deposition had to be
16 rescheduled for medical reasons, to take place on December 18, 2015;

17 Accordingly, the parties respectfully jointly move the Court to modify the
18 General Causation Schedule and extend the deadline by which General Causation
19 experts may be deposed through December 18, 2015.

20
21 Respectfully submitted:

22 Dated: October 29, 2015

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26 By: /s/ Robert M. Howard

27 Attorneys for Defendant
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1 Dated: October 29, 2015

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10 Dated: October 29, 2015

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14 Dated: October 29, 2015

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17 Plaintiffs' Co-Liaison Counsel

18 Dated: October 29, 2015

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21 Plaintiffs' Counsel

22 Dated: October 29, 2015

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1 Dated: October 29, 2015

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3 By: /s/ Michael S. Berg

4 Plaintiffs' Counsel

5 Dated: October 29, 2015

TOR A. HOERMAN
JACOB W. PLATTENBERGER
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7 By: /s/ Tor A. Hoerman

8 Plaintiffs' Counsel

9

10 **SIGNATURE ATTESTATION**

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

15 /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 October 29, 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 October 29, 2015, at San Diego, California



Alison L. Montera