

1 **WILSON TURNER KOSMO LLP**
Vickie E. Turner (SBN 106431)
2 550 West C Street, Suite 1050
San Diego, California 92101
3 Telephone: (619) 236-9600
Facsimile: (619) 236-9669
4 **E-mail:** vturner@wilsonturnerkosmo.com

5 **WILLIAMS & CONNOLLY LLP**
Douglas R. Marvin
6 Eva Petko Esber
Paul E. Boehm
7 725 Twelfth Street, N.W.
Washington, D.C. 2005-5901
8 Telephone: (202) 434-5000
Facsimile: (202) 434-5029
9 **E-mail:** dmarvin@wc.com
10 **E-mail:** eesber@wc.com
E-mail: pboehm@wc.com

11 *Attorneys for Defendants Merck & Co., Inc. and*
12 *Merck Sharp & Dohme Corp.*

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

15
16 IN RE: INCRETIN MIMETICS
17 PRODUCTS LIABILITY
18 LITIGATION

19 AS TO ALL CASES IDENTIFIED IN
20 PARAGRAPH 1

Case No. 13-md-2452-AJB-MDD

**JOINT MOTION FOR
EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS'
COMPLAINTS**

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

21
22
23 Pursuant to Rules 7.2 and 12.1 of the Local Rules for the United States District
24 Court for the Southern District of California, Plaintiffs in the cases listed in Paragraph
25 1 ("Plaintiffs") and Merck Sharp & Dohme Corp. and Merck & Co., Inc. (collectively,
26 "Merck"), by and through their attorneys, move as follows:

- 27 1. The actions subject to this motion are:

1 a. *Alicia Edwards v. Merck & Co., Inc., et al.*, Case No. 3:13-cv-01505-
2 AJB-MDD (S.D. Cal.);

3 b. *Nora Elberfeld v. Merck & Co., Inc., et al.*, Case No. 3:13-cv-01588-
4 AJB-MDD (S.D. Cal.);

5 c. *Gloria Salamanca v. Merck & Co., Inc., et al.*, Case. No. 3:13-cv-1594-
6 AJB-MDD

7 2. Plaintiffs have filed claims against Merck in the cases listed in Paragraph
8 1. Merck has not yet served a responsive pleading to Plaintiffs' Complaints.

9 3. By Order of October 18, 2013, the Court instructed Plaintiffs to submit a
10 Master Consolidated Complaint by November 18, 2013. *See* Doc. No. 143, ¶ 2.

11 4. If an agreed Master Consolidated Complaint is submitted by November
12 18, 2013, Merck and other Defendants in this MDL must submit a Master Answer no
13 later than December 18, 2013.

14 5. In light of efforts to establish a system for a Master Consolidated
15 Complaint and a Master Answer, Plaintiffs and Merck agree that it is appropriate to
16 extend Merck's deadline to serve its responsive pleading to Plaintiffs' Complaints
17 until and including December 30, 2013.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 Accordingly, Plaintiffs and Merck hereby move the Court to grant Merck an
2 extension of time within which to file and serve its responsive pleading to Plaintiffs'
3 Complaints, so that Merck shall respond on or before December 30, 2013.

4
5 Dated: October 30, 2013

6
7 By:
/s/ Vickie E. Turner
8 **WILSON TURNER KOSMO LLP**
Vickie E. Turner (SBN 106431)
550 West C Street, Suite 1050
9 San Diego, California 92101
Telephone: (619) 236-9600
10 Facsimile: (619) 236-9669
E-mail: vturner@wilsonturnerkosmo.com

11
12 *Attorneys for Merck & Co., Inc. and Merck
Sharp & Dohme Corp.*

13
14 By:
/s/ Michael K. Johnson
15 **JOHNSON BECKER PLLC**
Michael K. Johnson
Timothy J. Becker
16 33 South 6th Street, Suite 4530
Minneapolis, Minnesota 55402
17 Telephone: (612) 436-1842
Facsimile: (612) 436-1801
18 E-mail: mjohnson@johnsonbecker.com
E-mail: tbecker@johnsonbecker.com

19
20 *Attorneys for Plaintiff*

21 **SIGNATURE ATTESTATION**

22 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I hereby certify that authorization for
23 the filing of this document has been obtained from each of the other signatories shown
24 above and that all signatories concur in the filing's content.

25
26 /s/ Vickie E. Turner
Vickie E. Turner