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

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

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16 IN RE: INCRETIN-BASED
17 THERAPIES PRODUCTS LIABILITY
LITIGATION

18 _____
19 RUSSELL POLLOCK and KIMBERLY
20 POLLOCK,

21 Plaintiffs,

22
23 v.

24 MERCK & CO., INC., *et al.*,

25 Defendants.
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Lead Case No. 13-md-2452-AJB-MDD

Case No. 13-cv-2825-AJB-MDD

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

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

1 Pursuant to Rules 7.2 and 12.1 of the Local Rules for the United States District
2 Court for the Southern District of California, Plaintiffs Russell Pollock and Kimberly
3 Pollock and Merck & Co., Inc. ("Merck"), by and through their attorneys, move as
4 follows:

5 1. Plaintiffs have filed claims against Merck in this action. Merck has not
6 yet served a responsive pleading to Plaintiffs' Complaint.

7 2. The approved Master Complaint in this MDL includes only Merck Sharp
8 & Dohme Corp. as the defendant related to Januvia and Janumet and automatically
9 served as an answer to Plaintiffs' Complaint on Merck Sharp & Dohme Corp.'s
10 behalf, but not on behalf of any other Merck defendant.

11 3. Merck has requested that plaintiffs in this and other actions represented
12 by Plaintiffs' counsel voluntarily dismiss their Januvia and Janumet claims against
13 defendants other than Merck Sharp & Dohme Corp. in lieu of engaging the Court in
14 motion practice, and counsel for the parties have been engaged in discussions of that
15 request.

16 4. To conserve the parties' resources and the resources of the Court, the
17 parties agree that an extension of Merck's deadline to answer or otherwise respond to
18 the Complaint should be extended to April 9, 2014. No previous extension has been
19 granted in this case.

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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 Complaint, so that Merck shall respond on or before April 9, 2014.

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5 Dated: March 26, 2014

WILSON TURNER KOSMO LLP

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24 Dated: March 26, 2014

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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/ Vickie E. Turner

Vickie E. Turner