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

IN RE: INCRETIN-BASED
THERAPIES PRODUCTS LIABILITY
LITIGATION

As to All Related and Member Cases

CASE NO. 13-md-02452 AJB (MDD)

**DEFENDANTS' RESPONSE TO
PLAINTIFFS' STEERING
COMMITTEE'S MOTION FOR AN
ORDER SECURING EQUITABLE
ALLOCATION OF ATTORNEYS'
FEES AND COSTS FOR MDL
ADMINISTRATION AND
COMMON BENEFIT WORK**

Judge: Hon. Anthony J. Battaglia

1 Defendants take no position on the appropriateness of Plaintiffs' submission,
2 other than to reserve the right to object should Plaintiffs subsequently seek to
3 impose any expectations upon Defendants with respect to issues associated with
4 any Common Benefit Fund.

5
6 Respectfully submitted:

7 Dated: August 8, 2014

NINA M. GUSSACK
KENNETH J. KING
PEPPER HAMILTON LLP

9 STEPHEN P. SWINTON
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10
11 By: /s/ Stephen P. Swinton

12 Attorneys for Defendant
Eli Lilly and Company, a corporation

13 Dated: August 8, 2014

RICHARD B. GOETZ
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15 By: /s/ Amy J. Laurendeau

16 Attorneys for Defendant
Amylin Pharmaceuticals, LLC

17 Dated: August 8, 2014

18 DOUGLAS MARVIN
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20 By: /s/ Paul Boehm

21 Attorneys for Defendant
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22 Dated: August 8, 2014

23 LOREN BROWN
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DLA PIPER

24 By: /s/ Heidi Levine

25 Attorneys for Defendant
Novo Nordisk Inc.

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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/ Stephen P. Swinton

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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 8, 2014, I served the following document described as:

DEFENDANTS’ RESPONSE TO PLAINTIFFS’ STEERING COMMITTEE’S MOTION FOR AN ORDER SECURING EQUITABLE ALLOCATION OF ATTORNEYS’ FEES AND COSTS FOR MDL ADMINISTRATION AND COMMON BENEFIT WORK

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 8, 2014, at San Diego, California

/s/ Stephen P. Swinton