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

17 **IN RE: INCRETIN-BASED**
18 **THERAPIES PRODUCTS**
19 **LIABILITY LITIGATION**

20 **Relates to: ALL CASES**

MDL No. 13-md-2452-AJB(MDD)

**NOTICE OF MOTION AND
MOTION FOR CLARIFICATION
AND MODIFICATION OF
DISCOVERY DISPUTE PROTOCOL**

**No oral argument per Chambers
request**

26 **TO DEFENDANTS AND THEIR COUNSEL OF RECORD:**

27 **PLEASE TAKE NOTICE** that Plaintiffs will move the Honorable Anthony J.
28 Battaglia, Courtroom 3B, Edward J. Schwarz Courthouse, 221 West Broadway, San

Case No. 13-md-02452-AJB-MDD

NOTICE OF MOTION AND MOTION FOR CLARIFICATION
AND MODIFICATION OF DISCOVERY DISPUTE PROTOCOL

1 Diego, California 92101, for an Order clarifying two points and modifying one point
2 of the discovery dispute protocol outlined in the Court's August 15, 2014 Order (Dkt.
3 No. 568).

4 This motion is brought pursuant to Fed. R. Civ. P. 16 and 26 in consideration of
5 the Court's inherent ability to control its own docket and manage the scheduling and
6 discovery procedures in this case. The motion is supported by a Memorandum of
7 Points and Authorities that discusses the two points of clarification (on which
8 Plaintiffs and Defendants agree), and the one point of modification sought by
9 Plaintiffs (on which Defendants do not agree).

10
11 DATED: August 22, 2014

PLAINTIFFS' COUNSEL

12
13 /s/ Michael K. Johnson

14 Michael K. Johnson

JOHNSON BECKER, PLLC

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2014, I caused the above document to be filed via the CM/ECF system for the Southern District of California, and the CM/ECF system served the same upon all registered users at their registered email addresses.

s/_____
s/ Michael K. Johnson
Michael K. Johnson
Attorney for Plaintiffs

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