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14 Attorneys for Defendant  
NOVO NORDISK INC.

15 **UNITED STATES DISTRICT COURT**  
16 **SOUTHERN DISTRICT OF CALIFORNIA**  
17

18 IN RE INCRETIN-BASED  
19 THERAPIES PRODUCTS LIABILITY  
20 LITIGATION

21 *As to All Related and Member Cases*

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

**JOINT SUBMISSION OF  
AGENDA FOR THE  
SEPTEMBER 16, 2014 MDL  
CONFERENCE**

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

1 The parties have conferred and agreed to the following agenda for the  
2 September 16, 2014 MDL Conference:

3 I. Status of Depositions;

4 II. Status of Plaintiffs' "Top 10" Discovery Disputes:

5 (taken verbatim from the Court's August 14th Order)

6 1. "The recently received certification and production by Eli Lilly and  
7 Company;

8 2. Amylin's pending certification and production (*and EMA*  
9 *Submissions*);

10 3. ~~EMA Submissions~~ *AERs- Source Files and Databases*;

11 4. Health Canada and other foreign submissions;

12 5. Non-clinical (*and clinical*) trials;

13 6. Histology slides;

14 7. The addition of other custodians to the deposition list;

15 8. 'Ongoing' study results;

16 9. Written discovery regarding 'outside' source information regarding  
17 causation;

18 10. The purportedly 'missing' studies;"

19 III. Status of Plaintiffs' List of Additional Discovery Disputes per the Court's  
20 August 27th Order;

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1 IV. Status of Court's Scheduling Order; and

2 V. The Common Benefit Fund Order.

3 Respectfully submitted:

4 Dated: September 16, 2014

LOREN H. BROWN  
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7 By: /s/ Christopher M. Young

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10 Dated: September 16, 2014

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13 Plaintiffs' Counsel

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18 Plaintiffs' Counsel

19 Dated: September 16, 2014

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22 Plaintiffs' Counsel

23 Dated: September 16, 2014

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25 By: /s/ Tor A. Hoerman

26 Plaintiffs' Counsel

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Dated: September 16, 2014

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By: /s/ Gayle Blatt

Plaintiffs' Counsel

Dated: September 16, 2014

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1 Dated: September 16, 2014

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3 By: /s/ Vickie E. Turner

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5 Merck Sharp & Dohme Corp.  
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SIGNATURE CERTIFICATION

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/ Christopher M. Young  
Christopher M. Young

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18 In re: INCRETIN-BASED  
19 THERAPIES PRODUCTS  
20 LIABILITY LITIGATION

CV NO. 13-md-2452-AJB-MDD  
**CERTIFICATE OF SERVICE**

21 *As to All Related and Member Cases*  
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**CERTIFICATE OF SERVICE**

I, Erin Domingo, certify:

I am a resident of the state of California, over the age of eighteen years, and not a party to the within action. My business address is DLA Piper LLP (US), 401 B Street, Suite 1700, San Diego, California 92101. On September 16, 2014, I served the within documents:

**JOINT SUBMISSION OF AGENDA FOR THE SEPTEMBER 16, 2014 MDL CONFERENCE**

I hereby certify that on the below date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail notice list, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice list (if any).

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 16, 2014, at San Diego, California.

By:   
Erin Domingo