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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TERESA SEUFERT,
Plaintiff,
v.
MERCK SHARP & DOHME CORP.,
et al.,
Defendants.
Consolidated Cases:
Lara v. Merck Sharpe & Dohme Corp.
et al. (13cv2928)
McDaniel v. Merck Sharpe & Dohme
Corp. *et al.* (13cv3191) and;
Gaines v. Amylin Pharmaceuticals,
LLC *et al.* (14cv56)
Marble v. Merck Sharpe & Dohme
Corp. *et al.* (14cv611)

Lead Case No.13md2452 AJB (MDD)

ORDER GRANTING MOTION TO
SEPARATE AND TRANSFER
CLAIMS TO MDL NO. 2452 AND TO
CONSOLIDATE 14CV611 UNDER
13CV2169
(Doc. No. 639)
Seufert, 13cv2169
Lara, 13cv2929
McDaniel, 13cv3191
Gaines, 14cv56
Marble, 14cv611

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1 Before the Court is Defendants Amylin Pharmaceuticals, LLC, Eli Lilly and
2 Company, Merck Sharp & Dohme Corp., and Novo Nordisk Inc.'s ("MDL Defendants")
3 motion to separate and transfer claims to MDL No. 2452. (Doc. No. 639.) Specifically,
4 MDL Defendants request the claims against them in the above-captioned cases be
5 transferred into MDL No. 2452, while the claims against the remaining Defendants,
6 AstraZeneca Pharmaceuticals LP and Bristol-Myers Squibb Company ("Onglyza Defen-
7 dants"), proceed separate and apart from the MDL, but consolidated with each other.
8 Plaintiffs filed a response to MDL Defendants' motion to separate and transfer on
9 September 30, 2014, and do not oppose the relief sought therein. (Doc. No. 690.)

10 Accordingly, the Court GRANTS MDL Defendants' motion. The claims against
11 the Onglyza Defendants will not proceed as part of the MDL and will be scheduled and
12 handled under their individual case numbers, but consolidated by prior order. Any filings
13 specific to the Onglyza Defendants are to be filed in the consolidated cases and not in the
14 MDL; only one courtesy copy of documents filed is required.

15 The Clerk of Court is hereby ordered to transfer the claims against the MDL
16 Defendants in the above cases, *Seufert*, 13cv2169, *Lara*, 13cv2928; *McDaniel*, 13cv3191;
17 *Gaines*, 14cv56; and *Marble*, 14cv611 into Case No. 13md2452. The remaining claims
18 by named Plaintiffs against Onglyza Defendants are to be severed and remain on the
19 docket individually, and as consolidated, with the respective case numbers and captions
20 as listed above. Further, it is hereby ordered that the Clerk of Court consolidate *Marble*,
21 14cv611 with *Suefert*, 13cv2169, with respect to the separate claims against the Onglyza
22 Defendants.

23
24 **IT IS SO ORDERED.**

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26 DATED: October 3, 2014

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Hon. Anthony J. Battaglia
U.S. District Judge