

1 BAIRD A. BROWN, State Bar No. 56627
LAW OFFICES OF BAIRD A. BROWN
2 A Professional Corporation
3055 Wilshire Boulevard, Suite 1200
3 Los Angeles, CA 90010
Telephone: (213) 487-8880
4 Fax: (213) 487-8884

5 Attorneys for Plaintiff

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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11	IN RE: INCRETIN MIMETICS PRODUCTS)	MDL Case No. 13md2452 AJB (MDD)
12	LIABILITY LITIGATION,)	
13	JUAN M. HERRERA, INDIVIDUALLY AND)	STIPULATION AND JOINT MOTION
14	AS SUCCESSOR-IN-INTEREST AND)	TO SUBSTITUTE PARTY, AMEND
15	SURVIVING HEIR OF MARGARITA)	CAPTION TO REFLECT JUAN M.
16	HERRERA, DECEASED,)	HERRERA'S NEW STATUS AS AN
17	Plaintiff,)	INDIVIDUAL PLAINTIFF AND AS
18	v.)	SUCCESSOR-IN-INTEREST AND
19	AMYLIN PHARMACEUTICALS, LLC; ELI)	SURVIVING HEIR OF MARGARITA
20	LILLY AND COMPANY; MERCK SHARP)	HERRERA, DECEASED, AND FOR
21	DOHME CORP; NOVO NORDISK INC.,)	PLAINTIFF'S LEAVE TO FILE FIRST
	Defendants.)	AMENDED COMPLAINT; ORDER

22 1. Pursuant to Fed. R. Civ. P. 15(a) and Fed. R. Civ. P. 25(a), Juan M. Herrera
23 desires to amend the case caption to reflect his status as an individual plaintiff and as successor-
24 in-interest and surviving heir of Margarita Herrera and to substitute parties accordingly.

25 2. Plaintiff's counsel represents that Margarita Herrera has passed away, and that
26 Juan M. Herrera is Margarita Herrera's surviving spouse as reflected in plaintiff's proposed first
27 amended complaint which is attached as Exhibit 1 to this Stipulation and Joint Motion.

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/s/ Amy J. Laurendeau
Amy J. Laurendeau
O'Melveny & Myers LLP
610 Newport Center Drive
Newport Beach, CA 92660
Tel: 949-823-7926
Fax: 949-823-6994
alaurendeau@omm.com
Attorneys for Defendant
Amylin Pharmaceuticals, LLC
(formerly Amylin Pharmaceuticals, Inc.)

/s/ Aline Fairweather
Aline Fairweather
Pepper Hamilton LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
Tel: 215-981-4000
Fax: 215-981-4750
fairweathera@pepperlaw.com
Attorneys for Defendant
Eli Lilly and Company, a Corporation

/s/ Ana Reyes
Ana Reyes
Williams and Connolly LLP
725 12th St. NW
Washington, DC 20005
Tel: 202-434-5276
Fax: 202-434-5029
AREyes@wc.com
Attorneys for Defendant
Merck Sharp & Dohme Corporation

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ORDER

IT IS SO ORDERED.

DATED:

Anthony J. Battaglia
Judge of the United States District Court

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 22nd day of September, 2014, I have electronically filed the
3 Stipulation and Joint Motion to Substitute Party, Amend Caption to Reflect Juan M. Herrera's
4 New Status as an Individual Plaintiff and as Successor-In-Interest and Surviving Heir of
5 Margarita Herrera, deceased, and for Plaintiff's Leave to File First Amended Complaint to
6 MDL No. 2452, which will automatically send an email notification to participants in the case
7 who are registered CM/ECF users.

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10 /s/ Taurin Robinson
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