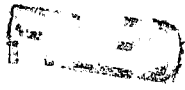


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PFIZER INC., : CIVIL ACTION
Plaintiff, :
v. : No. 17-cv-04180
JOHNSON & JOHNSON and JANSSEN :
BIOTECH, INC., :
Defendants. :


MAR 17 2020
KATE P. ...

IN RE REMICADE ANTITRUST : CIVIL ACTION
LITIGATION :
This document relates to: : No. 17-cv-04326 (consolidated)
Indirect Purchaser Actions :

**STIPULATION AND [PROPOSED] ORDER TO EXTEND ALL DEADLINES IN THE
PRETRIAL SCHEDULE BY FOUR WEEKS**

In light of the current public health crisis relating to the coronavirus, the parties in the above-captioned matters stipulate and agree as follows:

WHEREAS the spread of the coronavirus has prompted governmental admonitions against travel in New York¹ (where many of the attorneys and witnesses in this litigation reside and/or work), as well as to various other locations around country;

WHEREAS many major employers, including Plaintiff Pfizer and several prominent law firms, have issued travel restrictions and “work from home” directives;²

¹ On March 7, the Governor of New York proclaimed a state of emergency for the entire state (*see* https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.pdf), and on March 10 designated a containment zone in the community of New Rochelle (*see* Press Release, *Governor Cuomo Accepts Recommendation of State Health Commissioner for New Emergency Measures to Contain Novel Coronavirus Cluster in New Rochelle* (Mar. 10, 2020), <https://www.governor.ny.gov/news/governor-cuomo-accepts-recommendation-state-health-commissioner-new-emergency-measures-contain>).

² *See, e.g.*, ABA Journal, *Quinn Emanuel Shuts Down New York Office After Partner Tests Positive for Coronavirus* (Mar. 9, 2020), <https://www.abajournal.com/news/article/quinn-emanuel-shuts-down-new-york-office-after-partner-tests-positive-for-coronavirus>; CNN, *Google Has Asked All of Its North America Employees to Work from Home to*

WHEREAS the Centers for Disease Control and Prevention (CDC) has directed that high-risk individuals, which broadly includes “older adults” as well as those with several pre-existing common medical conditions, should avoid air travel and close contact with others;³

WHEREAS the parties expect at least 50 additional depositions in this litigation to occur before the close of discovery, currently set for May 29, 2020;

WHEREAS witnesses, third parties, and staff have expressed concerns and anxiety about traveling to and commuting in virus cluster areas and attending depositions in close quarters with those who have traveled from or through virus cluster areas; and

WHEREAS ongoing concerns about the coronavirus already have resulted in requests to postpone depositions that had been scheduled;

The parties have therefore agreed:

(1) A four-week stay (until April 10, 2020) on all depositions (party and third party) in this matter is appropriate;

(2) In two weeks (on March 25, 2020), the Parties will re-evaluate the feasibility of restarting depositions on April 10 and confer at that time in good faith as to whether any additional adjustments are needed, and if no agreement can be reached, the parties agree to consult the Court on an expedited basis;

(3) In the meantime, the parties will work to reschedule all depositions (party and third party) currently set to take place between today (March 11, 2020) and April 10, 2020, for a new date after April 10, 2020;

Prevent Coronavirus Spread (Mar. 10, 2020), <https://www.cnn.com/2020/03/10/tech/google-work-from-home-coronavirus/index.html>.

³ See CDC guidance, *People at Risk for Serious Illness from COVID-19* (March 11, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html>.

(4) Depositions with a date already agreed upon after April 10, 2020, will not be adjusted;

(5) The deposition stay proposed herein will have no impact on document or other discovery, which should not be delayed;

(6) The parties reserve all rights to address any issues concerning the pretrial schedule that may be raised by Retailer Plaintiffs in the coordinated action *Walgreen Co. and The Kroger Co. v Johnson & Johnson and Janssen Biotech, Inc.* (18-cv-02357) upon its return to this Court.

In consideration of the above, it is ORDERED that this Court's Stipulated Order Setting Pretrial Schedule Pursuant to the Court's Order Granting Plaintiffs' Motion to Amend the Pretrial Schedule to Extend the Deadlines by Four Months, dated October 2, 2019 (Doc No. 102) is AMENDED so that all deadlines are extended by four weeks.

Dated: March 12, 2020

Respectfully submitted,

/s William F. Cavanaugh
William F. Cavanaugh (*pro hac vice*)
Adeel A. Mangi (*pro hac vice*)
Jonathan H. Hatch (*pro hac vice*)
George LoBiondo (*pro hac vice*)
PATTERSON BELKNAP WEBB & TYLER
LLP
1133 Avenue of the Americas
New York, NY 10036-6710
Tel: (212) 336-2000
wfcavanaugh@pbwt.com
aamangi@pbwt.com
jhatch@pbwt.com
jmdavies@pbwt.com

Leslie E. John (PA Id. No. 62290)
Matthew I. Vahey (PA Id. No. 315920)
BALLARD SPAHR LLP

/s Robert A. Milne
Robert A. Milne (*Pro Hac Vice*)
Michael J. Gallagher (*Pro Hac Vice*)
Bryan D. Gant (*Pro Hac Vice*)
Ross E. Elfand (*Pro Hac Vice*)
David H. Suggs (*Pro Hac Vice*)
White & Case LLP
1221 Avenue of the Americas
New York, NY 10025-1095
Tel: (212) 819-8200
Fax: (212) 354-8113
rmilne@whitecase.com
mgallagher@whitecase.com
bgant@whitecase.com
relfand@whitecase.com
dsuggs@whitecase.com

H. Robert Fiebach (PA 02812)

1735 Market Street, 51st Floor
Philadelphia, PA 19103
Tel: (215) 665-8500
john@ballardspahr.com
vaheym@ballardspahr.com

Thomas O. Barnett (*pro hac vice*)
Ashley E. Bass (*pro hac vice*)
COVINGTON & BURLING LLP
850 Tenth Street, NW
Washington, DC 20001-4956
Tel: (202) 662-6000
tbarnett@cov.com
abass@cov.com

*Counsel for Johnson & Johnson and Janssen
Biotech, Inc.*

Peter M. Ryan (PA 81816)
Cozen O'Connor
One Liberty Place
1650 Market Street, Suite 2800
Philadelphia, PA 19103
Tel: (215) 665-4166
Fax: (215) 665-2013
rfiebach@cozen.com
pryan@cozen.com

Elliott E. Dionisio (*Pro Hac Vice*)
White & Case LLP
555 S. Flower Street, Suite 2700
Los Angeles, CA 90071-2433
Tel: (213) 620-7700
Fax: (213) 452-2329
elliott.dionisio@whitecase.com

Trisha M. Grant (*Pro Hac Vice*)
White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005-3807
Tel: +1 202 625 3600
Fax: + 1 202 639 9355
trisha.grant@whitecase.com

Counsel for Pfizer Inc.

/s/ Alexandra S. Bernay
Patrick J. Coughlin
David W. Mitchell
Brian O'Mara
Alexandra S. Bernay
Carmen A. Medici
ROBBINS GELLER RUDMAN
& DOWD LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
Tel: (619) 231-1058
Fax: (619) 231-7423
patc@rgrdlaw.com
davidm@rgrdlaw.com
bomara@rgrdlaw.com
xanb@rgrdlaw.com
cmedici@rgrdlaw.com

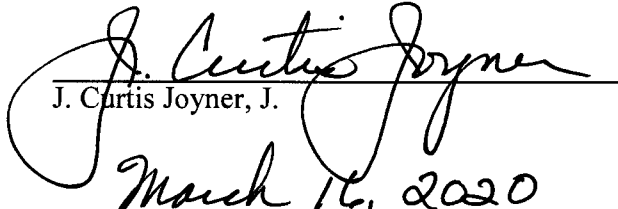
Randi D. Bandman
ROBBINS GELLER RUDMAN
& DOWD LLP
30 Vesey Street, Suite 200
New York, NY 10007
Tel: (212) 693-1058
randib@rgrdlaw.com

*Interim Lead Counsel for the Proposed
Indirect Purchaser Class*


Jayne A. Goldstein (#48048)
Natalie Finkelman Bennett (#57197)
James C. Shah (#80337)
SHEPHERD, FINKELMAN, MILLER &
SHAH, LLP
35 East State Street
Media, PA 19063
Tel: (610) 891-9880
Fax: (866) 300-7367
jgoldstein@sfmslaw.com
nfinkelman@sfmslaw.com
jshah@sfmslaw.com

*Interim Liaison Counsel for the Proposed
Indirect Purchaser Class*

SO ORDERED BY THE COURT:



J. Curtis Joyner, J.



Date