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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: MCKINSEY & CO., INC.
NATIONAL PRESCRIPTION OPIATE
CONSULTANT LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 21-md-02996-CRB (SK)

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE DISCOVERY
DEADLINES**

Judge: Hon. Charles R. Breyer

Courtroom: 6, 17th Floor

STIPULATION

WHEREAS, pursuant to the Supplemental Discovery Schedule entered by the Court on April 6, 2023, the deadline for the parties to submit to Magistrate Judge Kim an agreed-upon discovery search protocol (or competing protocols) is April 24, 2023, or 2 weeks after Plaintiffs' receipt of a hit report, whichever is later (Dkt. 505);

WHEREAS, McKinsey produced, and Plaintiffs received, a hit report on April 17, 2023, such that the original deadline for submission of a search protocol was May 1, 2023;

WHEREAS, pursuant to stipulation, the Court extended the submission deadline to May 19, 2023 (Dkt. 536);

WHEREAS, pursuant to stipulation, the Court further extended the submission deadline to May 26, 2023 (Dkt. 551);

WHEREAS, the parties continue to discuss an appropriate search protocol and the search terms to be applied pursuant to that protocol;

NOW, THEREFORE, the parties hereby agree, stipulate, and respectfully request that the Supplemental Discovery Schedule be amended to provide that the parties shall submit an agreed-upon search protocol (or competing proposals) on or before June 23, 2023.

AND WHEREAS, on March 17, 2023, Magistrate Judge Kim entered a discovery order concerning the sharing of certain discovery from MDL 2804 with McKinsey for use by the parties in MDL 2996 (Dkt. 489);

WHEREAS, on April 14, 2023 and April 22, 2023, certain entities that produced discovery in MDL 2804 filed objections to Judge Kim's discovery order (the "Objections") (Dkts. 520 & 530);

WHEREAS, on May 9, 2023, Judge Kim entered an Order Regarding Objections to Discovery Order that addressed the Objections (Dkt. 543);

WHEREAS, pursuant to Judge Kim's May 9, 2023 Order, the parties are required to submit to Judge Kim on or before May 22, 2023 a plan for identifying materials from MDL 2804 that are relevant to the claims and defenses in MDL 2996, which was continued to June 2, 2023 (Dkt. 554);

1 WHEREAS, the parties continue to discuss an appropriate plan for identifying relevant
2 materials from MDL 2804 and seek additional time to continue those discussions;

3 **NOW, THEREFORE**, the parties hereby agree, stipulate, and respectfully request that
4 the deadline to submit the plan required by Judge Kim's May 9, 2023 order be extended from
5 June 2, 2023, to June 23, 2023;

6 The parties further hereby agree and stipulate that all other terms and provisions in the
7 Supplemental Discovery Schedule that are not expressly modified herein shall remain as provided
8 therein.

9 **IT IS SO STIPULATED.**

10 Dated: May 26, 2023

11 By: /s/Elizabeth J. Cabraser

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~~[PROPOSED]~~ ORDER

Pursuant to stipulation, and for good cause shown, IT IS SO ORDERED.

DATED: May 26, 2023


CHARLES R. BREYER
United States District Judge