

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

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Case Number: 1:91-cv-02431

Title: Clozapine Antitrust v.

Assigned Judge: Honorable Harry D. Leinenweber

MINUTE ORDER of 6/14/91 before Honorable Harry D.  
Leinenweber : The motion for enlargement of page limit for  
States' memorandum opposing Caremark's motion to dismiss is  
granted. [49-1] Notice mailed 06/18/91.

This order was entered on the docket by the Clerk June 18, 1991

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the  
Federal Rules of Civil Procedure. It was generated by  
the automated docketing system being introduced to handle  
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additional information.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE: CLOZAPINE )  
ANTITRUST LITIGATION )  
\_\_\_\_\_ )  
)

MDL Docket No. 874

This Document Relates To )  
Docket Numbers 90 Civ. 8055, )  
8060, 8062-8065, 8067, 8069, )  
8071, 8073-8077, 8079-8082, )  
8084, 8086-8087, 8089, 8092; )  
91 Civ. 0244, 0921, 1043, )  
1165, 1219-1220, 1392, 1673, )  
1813-1814 )  
\_\_\_\_\_ )  
)

Honorable Harry D. Leinenweber

MOTION FOR ENLARGEMENT OF  
PAGE LIMIT FOR STATES' MEMORANDUM  
OPPOSING CAREMARK'S MOTION TO DISMISS

Plaintiff States<sup>1</sup>/ submit this Memorandum in support of the States' request for an enlargement of the page limitation imposed by local rules on the memorandum which the States are preparing in opposition to defendant Caremark's motion to dismiss. In support of this request, plaintiff States say as follows:

1. On January 28, 1991, Caremark moved before the United States District Court for the Southern District of New York to dismiss the States' actions for failing to state a claim

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<sup>1</sup>/ The plaintiff States are Alabama, Arizona, California, Colorado, Connecticut, Delaware, Florida, Idaho, Iowa, Kansas, Maine, Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia and Wisconsin and the District of Columbia.

upon which relief can be granted. At the same time, Caremark filed a 34-page memorandum in support of its motion.

2. On March 15, 1991, the States filed in the Southern District of New York a 32-page memorandum in opposition to Caremark's motion.

3. On April 5, 1991, Caremark filed a 16-page reply brief in the Southern District of New York.

4. On April 9, 1991, the Judicial Panel on Multidistrict Litigation transferred the States' actions to this Court for coordinated and consolidated pretrial proceedings.

5. On June 3, 1991, defendant Caremark filed in this Court a 12-page supplemental memorandum in support of its motion.

6. Pursuant to the Court's Order of May 21, 1991, the States are to submit their supplemental memorandum in opposition to Caremark's motion on or before June 26, 1991.

7. After reviewing the various submissions made by Caremark, the States' original memorandum in opposition to the motion, as well as the respective case law in both the Second and Seventh Circuits, the States believe that simply supplementing their original submission would be at best confusing to both the Court and the parties. The States therefore intend to submit an amended memorandum in opposition to Caremark's motion. This amended memorandum will replace in all respects the States' earlier submission to the Court in New York.

8. Because the States must address in this memorandum both the issues raised in the original Caremark memorandum as

well as those issues raised by its supplemental memorandum, the States will need to exceed the 15-page limit imposed by General Rule 9(d) of this Court.

WHEREFORE, the States respectfully request an order of this Court granting the States leave to file an amended memorandum in opposition to Caremark's motion to dismiss not to exceed 50 pages.

Dated this 10th day of June, 1991.

Respectfully submitted,

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I, James P. Spencer, hereby certify that true and correct copies of Motion for Enlargement of Page Limit for States' Memorandum Opposing Caremark's Motion to Dismiss have been served upon:

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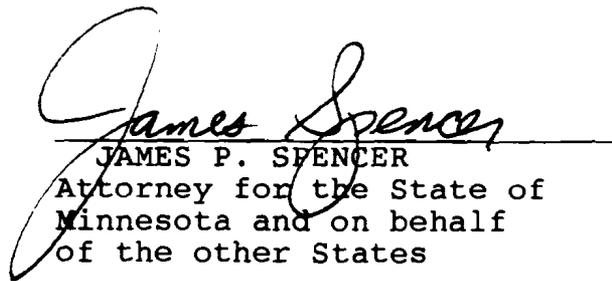
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by Federal Express Mail, standard overnight delivery charges prepaid, this 10th day of June, 1991, and all other parties on the attached service list by United States Mail, first class postage prepaid, this 10th day of June, 1991.

  
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