

1 STROOCK & STROOCK & LAVAN LLP  
2 JAMES L. BERNARD  
3 180 Maiden Lane  
4 New York, NY 10038  
5 Telephone: 212.806.5400  
6 Email: jbernard@stroock.com

7 CLARENCE DYER & COHEN LLP  
8 JOSH A. COHEN (SBN 217853)  
9 899 Ellis Street  
10 San Francisco, CA 94109  
11 Telephone: 415.749.1800  
12 Email: jcohen@clarencedyer.com

13 Attorneys for Defendants McKinsey & Company,  
14 Inc.; McKinsey & Company, Inc. United States;  
15 McKinsey & Company, Inc. Washington D.C.

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

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

CASE NO. 21-md-02996-CRB

**MOTION TO MODIFY BRIEFING  
SCHEDULE ON MOTIONS TO DISMISS;  
[PROPOSED] ORDER**

22 This document relates to:

23 *All Cases.*

24 WHEREAS, the parties to this action previously proposed to the Court a briefing schedule  
25 on threshold motions to dismiss by way of a joint status conference submission filed on August  
26 31, 2021 (Dkt. 240);

27 WHEREAS, at a status conference on September 2, 2021, the Court set a briefing schedule  
28 requiring that plaintiffs file master consolidated complaints by November 23; McKinsey file  
motions to dismiss by December 10; plaintiffs file oppositions to the motions to dismiss by

1 January 31; McKinsey file reply briefs by March 4; and the parties appear for a hearing on the  
2 motions on March 17 (Dkt. 244);

3 WHEREAS, the date for McKinsey to produce documents to the state Attorneys General  
4 for inclusion in the public repository (“AG Repository Production”) has been moved, with the  
5 assent of the Attorneys General, from November 4 to November 18;

6 WHEREAS, McKinsey will produce the AG Repository Production directly to Plaintiffs  
7 on or before November 20, 2021;

8  
9 WHEREAS, on October 22, 2021. McKinsey contacted plaintiffs to discuss a modification  
10 of the current briefing schedule in recognition of the fact that plaintiffs might desire more time to  
11 file MCCs given the new date for the AG Repository Production;

12 WHEREAS, the parties have met and conferred about a modified briefing schedule that  
13 will achieve the objectives of the original schedule while accounting for the additional two weeks  
14 for McKinsey’s production of the repository materials;

15  
16 WHEREAS, the parties are agreeable to the schedule set forth below but were unable to  
17 execute a stipulation because of a disagreement over which side should bear the impact of any  
18 changes to the schedule the Court might make if the Court did not accept the schedule as  
19 proposed;

20 NOW, THEREFORE, McKinsey respectfully moves the Court to modify the briefing  
21 schedule on threshold motions to dismiss as follows:

22	Last day for plaintiffs to file MCCs:	December 6, 2021
23	Last day for McKinsey to file motions to dismiss:	December 23, 2021
24	Last day for plaintiffs to file opposition briefs:	February 14, 2022
25	Last day for McKinsey to file reply briefs:	March 21, 2022
26	Hearing date:	March 31, 2022
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Dated: November 2, 2021

Respectfully submitted,

By \_\_\_\_\_/s/\_\_\_\_\_  
James L. Bernard  
Attorney for McKinsey Defendants

~~PROPOSED~~ ORDER

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

DATED: November 2, 2021

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE