

ORIGINAL

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 07-1107-CV

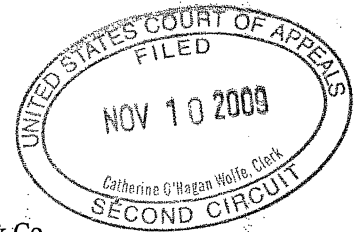
Caption [use short title]

Motion to: Extension of time to file Appellant's Reply Brief

In re Zyprexa Litigation

Set forth below precise, complete statement of relief sought:

Appellant James Gottstein seeks to obtain extension of three weeks to file Reply Brief



MOVING PARTY: Appellant James Gottstein

OPPOSING PARTY: Appellee Eli Lilly & Co.

- Plaintiff Defendant
Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Steven Brock, Esq. [name of attorney, with firm, address, phone number and e-mail] Berkman, Henoch Peterson & Peddy, P.C. 100 Garden City Plaza Garden City, NY 11530 516.780.0325 s.brock@bhpp.com

OPPOSING ATTORNEY [Name]: Sean P. Fahey, Esq. [name of attorney, with firm, address, phone number and e-mail] Pepper Hamilton, LLP 3000 Two Logan Square Philadelphia, Pa 19103 215.981.4296 Faheys@pepperlaw.com

Court-Judge/Agency appealed from: United States District Court, EDNY, Honorable Jack B. Weinstein

Please check appropriate boxes:

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL

Has consent of opposing counsel:

Has request for relief been made below? Yes No

- A. been sought? Yes No
B. been obtained? Yes No

Has this relief been previously sought in this Court? Yes No

Has service been effected? [Attach proof of service] Yes No

Is oral argument requested? Yes x No (requests for oral argument will not necessarily be granted)

Requested return date and explanation of emergency:

Has argument date of appeal been set? If yes, enter date: Yes x No

Signature of Moving Attorney: [Signature] Date: November 9, 2009

ORDER

IT IS HEREBY ORDERED that Appellant's motion for extension of time until December 3, 2009 to file the reply brief, is GRANTED.

FOR THE COURT: Catherine O'Hagan Wolfe, Clerk by [Signature] Judy Wisnawski, Motions Staff Attorney

11.13.09 Date

