

Case Nos. 81024

In the Supreme Court of Nevada

TEVA PARENTERAL MEDICINES, INC., fka SICOR,
INC.; BAXTER HEALTHCARE CORPORATION; and
McKESSON MEDICAL-SURGICAL, INC.

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT of the
State of Nevada, in and for the County of Clark;
THE HONORABLE TREVOR ATKINS, District
Judge, Dept. 8; THE HONORABLE NANCY ALFF,
District Judge, Dept. 27; and THE HONORABLE
JIM CROCKET, District Judge, Dept. 24,

Respondents.

YVETTE ADAMS et al.,

Real Parties in Interest.

Electronically Filed
Nov 02 2020 04:32 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOTICE OF TIMELINE FOR ORAL ARGUMENT

Please take notice of the attached timeline to which counsel Dan
Polsenberg will refer in the oral argument tomorrow.

Dated this 2nd day of November, 2020.

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CERTIFICATE OF SERVICE

I certify that on November 2, 2020, I submitted the foregoing “Notice of Timeline for Oral Argument” for filing via the Court’s eFlex electronic filing system. Electronic notification will be sent to the following:

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March 4, 2009	SCOTUS decides <i>Wyeth v. Levine</i> , holding that state law can hold brand-name manufacturers liable for an inadequate warning in a label	Ans. 10
June 1, 2010	<i>Chanin</i> judgment	Ans. 10
June 23, 2011	SCOTUS decides <i>Mensing</i> , holding that claims against generic manufacturers for design or labeling are preempted	Ans. 10
Oct. 19, 2011	<i>Washington</i> judgment	Ans. 10
Nov. 16, 2011	<i>Sacks</i> judgment	Ans. 10
April 3, 2012	Nevada Supreme Court schedules oral argument in <i>Chanin</i> for this date, but case settles before on plaintiffs' motion for "global" settlement conference in all infected cases	Docket 57085
June 24, 2013	SCOTUS decides <i>Bartlett</i> , rejecting the stop-selling theory of liability and clarifying the applicable federal preemption analysis	
2013-present	Federal and state courts consistently hold that under <i>Mensing</i> and <i>Bartlett</i> , state-law claims against generic manufacturers are preempted and the stop-selling theory lacks merit	Pet. Br. <i>passim</i>
May 20, 2019	SCOTUS decides <i>Albrecht</i> , holding that preemption is an issue for the judge and not the jury	
Sept. 19, 2019	Underlying district court in <i>Bridges</i> denies motion to dismiss, saying defendants "could have just ceased selling the 50 mL vials"	7 App. 1585 (emphasis added)