

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**IN RE:** : **MDL DOCKET NO. 4:03-CV-1507-WRW**  
**PREMPRO PRODUCTS LIABILITY** :  
**LITIGATION** : **ALL CASES**

**ORDER**

The following rulings are based on the findings of fact and conclusions of law made in the Status Conference held this morning.

1. Defendants' Motion to Certify Question to the Minnesota Supreme Court is **GRANTED**. By 5 p.m., Wednesday, November 26, 2008, the parties are to meet and confer and submit a certification question (similar to the one distributed in the Status Conference) that accurately describes the issue for the Minnesota Supreme Court. The parties should also supply me with the necessary papers to commence the Minnesota certification process.

2. By 5 p.m., Thursday, November 4, 2008, Mr. Walker is to file a short reply brief addressing the issues raised by Wyeth in their opposition to Plaintiffs' motions to dismiss Arkansas cases in order to proceed with a later-filed Minnesota case.

3. Plaintiffs' Motions to Compel Barr and Novartis to Respond to Discovery Requests (Doc. Nos. 1889, 1892) are **DENIED** without prejudice, based on the parties' representation that they plan to meet and confer on the issues. I think it would be meet and proper for the parties to meaningfully meet and confer before filing such motions.

4. Plaintiffs' Motion for Leave to File Amended Master Complaint (Doc. No. 1894) is **GRANTED**. Plaintiffs are permitted to file the Amended Master Complaint, attached to the Motion as Exhibit 1, by 5 p.m., Wednesday, November 26, 2008.

5. Plaintiffs' Outline of Generic Discovery Needed From Wyeth and Pfizer (Doc. No. 1896) appears to be a bit exaggerated. After reviewing the representations made by Wyeth and Pfizer in their responses, Plaintiff should pare down her submission. A revised submission should be filed by 5 p.m., Friday, December 12, 2008.

6. Again, neither of the parties proposed discovery plans is sufficient. Refined discovery proposals should be submitted by 5 p.m., Friday, December 5, 2008 (an agreed-to plan would be welcomed, if at all possible).

7. The December 12, 2008, Status Conference is CANCELLED.

IT IS SO ORDERED this 21st day of November, 2008.

/s/ Wm. R. Wilson, Jr. \_\_\_\_\_  
UNITED STATES DISTRICT COURT