

**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

First and foremost, the stars fell on Alabama on November 12-13, 1833.

Now, on to the law: Plaintiffs' Motions to Remand Cases (Doc. Nos. 2210, 2214, 2223) are DENIED without prejudice.

At this time, I believe that the appropriate way to move forward is to designate additional cases under PPO-9. Starting out, I intend to designate 200 cases for PPO-9 discovery each month, and see how the process works. If things move smoothly, I may increase the number.

Additionally, I intend to lift the restrictions on PPO-9 eligibility. In the past, PPO-9 discovery was limited to cases with Wyeth and Pfizer as the only defendants and claims for only breast cancer injuries. I see no reason why these restrictions continue to be necessary.

Accordingly, some time next week, I intend to designate additional PPO-9 cases.

Finally, if I recall correctly, it took the parties well over a year to complete PPO-9 depositions in the first round of cases. This is too slow. I expect all parties to cooperate in expeditiously scheduling and taking these PPO-9 depositions. It seems to me that, generally, the PPO-9 discovery should be completed within six months of the date on which a case is designated a PPO-9 case. However, when scheduling the depositions, the parties should be careful not to load one firm's wagon with more poles than a mule can pull, *i.e.*, I expect all parties to be reasonable in this regard.

IT IS SO ORDERED this 19th day of March, 2010.

/s/ Wm. R. Wilson, Jr. _____
UNITED STATES DISTRICT JUDGE