Contreras v. Wyeth LLC et al Doc. 28

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

	:	**MDL DOCKET NO. 4:03-CV-1507-BRW**
IN RE:	:	
PREMPRO PRODUCTS LIABILITY	:	
LITIGATION	:	**ALL CASES in EXHIBIT A**

ORDER

Exhibit A lists cases designated to proceed with case-specific discovery under Practice and Procedure Order 9. Specifically, the parties may take case-specific discovery depositions of the plaintiff(s), spouse(s), treating physician(s),[1] and sales representative(s).[2]

In cases where some Defendants have "settled in principle," this order applies only to the remaining parties.

In each case listed in Exhibit A, Plaintiffs are directed to provide Defendants with updated medical authorizations[3] within three weeks of the date of this order. Failure to do so may result in dismissal for failure to prosecute.

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 nine months of the date of this Order. 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 29th day of January, 2013.

/s/ Billy Roy Wilson
UNITED STATE DISTRICT COURT

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[1]This applies to treating physicians who are identified as trial witnesses by any party under the transferor court procedures. Treating physicians include prescribers.

[2]With regard to depositions of sales representatives or district sales managers, Plaintiffs may take only one general deposition of each such person.

[3]The Medical Authorization Form can be found at Doc. No. 2007-3 in *In re Prempro*, 4:03-CV-001507.

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