EXHIBIT

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

Docket No.6:06-MD-1769-Orl-22DAB

IN RE: SEROQUEL PRODUCTS LIABILITY LITIGATION	
MDL DOCKET No. 1769	Orlando, Florida April 12, 2006 2:00 p.m.
ALL CASES	

TRANSCRIPT OF PRETRIAL CONFERENCE
BEFORE THE HONORABLE DAVID A. BAKER
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiffs: Paul Pennock
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Court Reporter: Sandra K. Tremel, RMR/CRR

over two months after the initial conference. It took us another month and a half working, trying to work with the defendants to get something that was workable, something that we could review, that we could get through in a reasonable and efficient and effective manner. Not something that was an utter burden that no one could effectively get through in a reasonable period of time.

We finally got that in late December. And, yet, when we go through the -- we have been through the IND and NDA almost in its entirety, everything they have given us. There is a wholesale lack of metadata with respect to this IND and NDA. The documents were not produced in chronological order even though we would suggest and we don't know yet because we haven't been allowed any depositions, but we suggest that they're probably maintained in some type of reasonable order by the company.

There are a lack of serial numbers, there are numerous documents in this disclosure missing any type of identifying number even though that was the manner in which they were produced. There is no FDA logbook whatsoever, something that's typically found and disclosed in these NDA productions.

There is this CANDA safety database. This was an electronic format database that was, we believe, being

utilized at the time that this submission was made to the FDA. We have references as early as 1996 that the CANDA database was being utilized. It was the manner in which the defendants would, we believe, produce the safety evaluations and reports to the FDA in an electronic format. We have -- there is nothing in this NDA that we could find that incorporates this CANDA database. Obviously, a central and core aspect of NDA and our review of it.

There are -- we know for a fact that internally from the document review we have already done in the so-called custodial files that have been produced that there were reports of diabetes that the company knew about early on. But in the NDA, we can't find those reports that were being made to the FDA. Now, of course, if they weren't reported to the FDA, we will be happy to learn that fact. But we are missing quite a number of reports. And I'm not going to read this into the record. It's from the document that's currently under the confidentiality stipulation. But the bottom line is we know that there should be reports in this NDA that aren't there. And the question, of course, today is where are these reports.

Zero telephone contacts with the FDA. We have no internal documentation regarding the FDA-- regarding the NDA and its submission. In other words, memos to one