

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

IN RE: SEROQUEL PRODUCT :  
LIABILITY LITIGATION : CIVIL ACTION  
IN RE: MDL NO. 1769 CASE PENDING : NO. 3:07MC264(JCH)  
IN THE MIDDLE DISTRICT OF :  
FLORIDA, ORLANDO DIVISION :  
:  
:  
: OCTOBER 30, 2007

MOTION TO INTERVENE

Pursuant to Rule 24(a) of the Federal Rules of Civil Procedure, Simpson Healthcare Executives (“Simpson”) moves to intervene in this matter so that it may defend against the motion to compel directed against it in Plaintiffs’ Motion for Transfer to Seroquel Products Liability Litigation MDL, Opposition to PAREXEL MSS Motion for Protective Order, Motion to Compel Nonparty Documents, and Incorporated Memorandum of Law, dated October 10, 2007.

This is a miscellaneous action relating to third party subpoenas issued in the In re: Seroquel Products Liability Litigation (MDL NO. 1769) pending in the Middle District of Florida, Orlando Division (“Seroquel MDL”). The plaintiffs in the Seroquel MDL issued subpoenas to several non-parties, including Simpson and PAREXEL, MMS (“PAREXEL”). PAREXEL initiated this miscellaneous action in order to file a Motion for Protective Order with respect to the non-party subpoena served on it. PAREXEL filed that motion on

**NO ORAL ARGUMENT REQUESTED**

September 19, 2007. On October 10, 2007, the plaintiffs in the Seroquel MDL filed an opposition to PAREXEL's Motion for Protective Order. In the same filing, plaintiffs in the Seroquel MDL filed a Motion to Compel Nonparty Documents directed against Simpson, even though Simpson was not a party to this miscellaneous action (or the Seroquel MDL).

Simpson has a direct interest in the property or transaction that is the subject of this miscellaneous action, namely its documents and information and the substantial costs and expenses it has incurred to comply with the subpoena at issue. Simpson is so situated that the disposition of the action may as a practical matter impair or impede Simpson's ability to protect that interest because its interest is not adequately represented by existing parties, since PAREXEL and Simpson have different documents and information at stake and likely have incurred different costs and expenses to comply with the subpoenas at issue.

Accordingly, Simpson respectfully requests that this Court allow it to intervene in this matter to defend against the Motion to Compel Nonparty Documents pending against it. Since this is a miscellaneous action, there are no pleadings, claims, or defenses in which Simpson can intervene pursuant to Rule 24(c). Simpson intends to file an objection to the Motion to Compel Nonparty Documents directed against it (see Motion for Extension of Time, filed concurrently).

Counsel for PAREXEL does not object to this motion. Despite diligent effort, the undersigned has not ascertained the position of counsel for the plaintiffs in the Seroquel MDL with respect to this motion.

SIMPSON HEALTHCARE EXECUTIVES

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion to Intervene was sent via United States mail, first-class, postage prepaid, on this 30th day of October, 2007 to:

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