

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

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<b>IN RE: YASMIN AND YAZ</b>	)	
<b>(DROSPIRENONE) MARKETING, SALES</b>	)	<b>3:09-md-02100-DRH-PMF</b>
<b>PRACTICES AND PRODUCTS LIABILITY</b>	)	
<b>LITIGATION</b>	)	<b>MDL No. 2100</b>

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**This Document Relates to:**  
**ALL CASES**  
**and specifically**  
***Kerry Sims v. Bayer Corp., et al., No. 3:09-cv-10012-DRH-PMF***

**CASE MANAGEMENT ORDER NUMBER 53**  
**Regarding Bellwether Plan**

It is clear to the Court that the principles of a bellwether plan, discussed to some extent in CMO 24 and understood fully by the parties, will not be met by pursuing the first trial set January 9, 2011. The Court finds that the interests of this litigation, plaintiffs and defendants, will be better served by an alternative plan.

Therefore, the Court hereby appoints Professor Stephen Saltzburg of George Washington School of Law, Washington D.C., as Special Master, for purposes of mediation, with all his expenses and fees to be borne equally by plaintiffs and defense sides. The leadership teams for each side are hereby ordered to meet with Professor Saltzburg without delay. Professor Saltzburg shall

consider and utilize every reasonable mediation option available to effectuate settlements in this litigation. Each party is ordered to negotiate in good faith.

The case of *Kerry Sims v. Bayer Corp., et al.*, No. 3:09-cv-10012-DRH-PMF is hereby continued from the Court's docket of January 9, 2012 until further notice. The balance of the bellwether scheduling is hereby held in abeyance until further notice. The Court will send notices of the next conference.

**SO ORDERED**

  David R. Herndon  
2011.12.31  
10:56:21 -06'00'

**Chief Judge**  
**United States District Court**

**Date: December 31, 2011**