

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
IN RE NEURONTIN MARKETING, SALES)	
PRACTICES, AND PRODUCTS LIABILITY)	
LITIGATION)	MDL Docket No. 1629
_____)	Master File No. 04-10981
)	
THIS ORDER RELATES TO:)	Judge Patti B. Saris
)	
BOONE PRODUCTS LIABILITY ACTIONS)	Mag. Judge Leo T. Sorokin
_____)	

ORDER OF SANCTIONS

August 16, 2010

SOROKIN, M.J.

On June 9, 2010, this Court issued an Order instructing Attorneys Boone and Schwartz to file, on July 10, 2010, *and on the tenth of every month thereafter*, a chart detailing the status of the cases brought by their respective law firms. See Docket # 2839, at 4. On August 10, 2010, Attorney Schwartz filed his chart in compliance with the Order. To date, no such chart has been filed by Attorney Boone. Nor has Attorney Boone filed a motion requesting leave to file the chart late.

The Court need not detail every instance of Attorney Boone’s failure to comply with Court Orders over the past several years of this litigation. Most recently, the Court noted Attorney Boone’s failures to comply in its Order of July 12, 2010 (Docket # 2886) and its Report and Recommendations on Defendants’ Motions to Dismiss (Docket # 3025), now pending before Judge Saris. Attorney Boone’s repeated failures to adhere to Court imposed deadlines not only delays the resolution of this matter; they also are a considerable drain on the Court’s time and resources. Despite numerous warnings that he must heed all deadlines, Attorney Boone is once

more not in compliance with the Court's Order.

The Court is free to issue "any just orders" if a party or its attorney "fails to obey a scheduling or other pretrial order." Fed. R. Civ. P. 16(f)(1)(C); Pereira v. Narragansett Fishing Corp., 135 F.R.D. 24, 27-28 (D. Mass. 1991). The Court hereby imposes a sanction in the amount of \$500.00 (Five-Hundred Dollars), to be paid personally by Attorney Boone to the Clerk of Court no later than August 22, 2010. In addition, Attorney Boone must file the required chart no later than August 17, 2010. Attorney Boone is cautioned to ensure that he complies with all Court Orders in the future, else he risk further (and more severe) sanctions.

SO ORDERED.

/s/ Leo T. Sorokin

UNITED STATES MAGISTRATE JUDGE