

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

STATE OF LOUISIANA, BY AND  
THROUGH ITS ATTORNEY GENERAL  
JAMES CALDWELL

NO. 2016 CW 1009

VERSUS

SMITHKLINE BEECHAM  
CORPORATION D/B/A  
GLAXOSMITHKLINE PLC

**Consolidated with**

STATE OF LOUISIANA, BY AND  
THROUGH ITS ATTORNEY GENERAL  
JAMES CALDWELL

VERSUS

PFIZER INC. AND WARNER-  
LAMBERT COMPANY, LLC

**NOVEMBER 28, 2016**

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In Re: Pfizer, Inc. and Warner-Lambert Co., LLC, applying for  
supervisory writs, 19th Judicial District Court,  
Parish of East Baton Rouge, No. 636032 c/w 638506.

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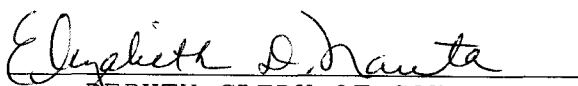
**BEFORE: WHIPPLE, C.J., GUIDRY, PETTIGREW, McCLENDON AND  
CALLOWAY,<sup>1</sup> JJ.**

**WRIT GRANTED.** Pursuant to our review, we find that the trial court abused its discretion in ordering the consolidation of *State of Louisiana v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Suit No. 636,032 with *State of Louisiana v. Pfizer, Inc. and Warner-Lambert, LLC*, Suit No. 638,506, pursuant to La. Code Civ. P. art. 1561. Therefore, the July 14, 2016 judgment ordering consolidation is reversed and the case is remanded for further proceedings.

JMG  
JTP  
PMc

**Whipple, C.J. and Calloway, J.,** dissent and would deny the writ and decline to exercise supervisory jurisdiction. See ***Herlitz Construction Company, Inc. v. Hotel Investors of New Iberia, Inc.***, 396 So.2d 878 (La. 1981) (per curiam).

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT

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<sup>1</sup> **Calloway, J.,** serving as judge *pro tempore* of the Court of Appeal, First Circuit, by special appointment of the Louisiana Supreme Court.