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FILED

SEP 25 2009

Carol E. Higbee, P.J.Cv.

	: SUPERIOR COURT OF NEW JERSEY
	: LAW DIVISION
	: ATLANTIC COUNTY
In re: ACCUTANE LITIGATION	:
	:
In re: ISOTRETINOIN LITIGATION	:
	: Civil Action
	:
	: Case No.271
	:
	:
	: **ORDER**

THIS MATTER, having come before the Court pursuant to an agreement between counsel for Plaintiffs and Generic Defendants in the *In re: Isotretinoin Litigation,* and for good cause shown:

WHEREAS a certain scientific article entitled, Isotretinoin Is Not Associated With Inflammatory Bowel Disease: A Population-Based Case-Control Study (the "Study"), was received by the publication the American Journal of Gastroenterology (the "Journal") on May 5, 2009;

WHEREAS certain attorneys for the defendants in the In re: Isotretinoin Litigation (Generic Defendants) have had consultations with one of the authors of the Study, Charles N. Bernstein, M.D.;

IT IS on this 25th day of September, 2009,

ORDERED as follows:

1. On or prior to September 22, 2009, Generic Defendants shall provide responses to the questions set forth on Exhibit A. On or prior to October 12, 2009, Generic Defendants shall provide responses to the questions set for on Exhibit A on behalf of any parent, subsidiary, and United States or Canadian affiliate of the named Generic Defendant.

2. On or prior to September 22, 2009, Generic Defendants shall provide responses and produce documents to the requests set forth on Exhibit B. On or prior to October 12, 2009, Generic Defendants shall provide responses to the requests set forth on Exhibit B on behalf of any parent, subsidiary, and United States or Canadian affiliate of the named Generic Defendant.

3. To the extent that any privilege or exemption from disclosure exists under applicable law concerning the materials produced pursuant to this Consent Order, Generic Defendants do not waive any privileges or exemptions from disclosure by producing any information or materials pursuant to this Consent Order, including (to the extent applicable) those set forth in Rules 4:10-2 and 4:17-4 of the New Jersey Civil Practice Rules, in connection with the work of any consultants.

Honorable Carol E. Higbee, P.J.Cv

EXHIBIT A

1. Did Generic Defendants (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant), or any attorney for any Generic Defendant in these cases, enter into a consulting relationship of any form with any of the following individuals: Charles N. Bernstein, M.D.; Zoann Nugent, Ph.D.; Teresa Longobardi, Ph.D.; James F. Blanchard, M.D., Ph.D?

a. If yes, for each individual, when did the relationship begin and end?

b. If yes, has any compensation been paid to the individuals named in question 1 by Generic Defendants (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant), or any attorney for any Generic Defendant in these cases? If so, what is the amount (broken down by payments for services rendered prior to and following July 21, 2009)?

c. If yes, identify the dates of all such communications and consultations.

d. If yes, describe the purpose of any consultation prior to July 21, 2009, except communications solely reflecting discussion of a specific case, which may by identified as "Case-Specific Consultation" on a privilege log.

2. For the period beginning five years prior to the date hereof, describe any relationship between the Generic Defendants (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant), or any attorney for any Generic Defendant in these cases, and any business or academic entity with which, to the best of your knowledge, the individuals named in question 1 are affiliated, including but not limited to any monetary or other support provided by Defendants.

EXHIBIT B

1. All documents within the five year period prior to the date hereof relating to the terms of any consulting or contractual relationship between any Generic Defendant (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant) and any of the individuals named in question 1, with the understanding that this request does not call for the production of any documents between any attorney for any Generic Defendant and any individual named in question 1.

2. All communications between any Generic Defendant (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant) and any of the individuals named in question 1 relating to Accutane, isotretinoin, retinoids and inflammatory bowel disease, with the understanding that this request does not call for the production of any documents between any attorney for any Generic Defendant and any individual named in question 1.

3. Any written communications relating to Accutane, isotretinoin, retinoids, and inflammatory bowel disease provided to or received from the individuals named in question 1 by any Generic Defendant (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant), with the understanding that this request does not call for the production of any documents between any attorney for any Generic Defendant and any individual named in question 1.

4. For the period beginning five years prior to the date hereof, all documents reflecting any grants, fellowships, endowments or monetary contributions of any kind made by any Generic Defendant (including any parent, subsidiary, or United States or Canadian affiliate of any Generic Defendant), or any attorney for any Generic Defendant in these cases, to the individuals named in question 1 or to any business or academic entity with which, to the best of your knowledge, those individuals are affiliated.