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Hoffmann-La Roche Inc. and
Roche Laboratories Inc.

FILED

SEP 09 2011

Carol E. Higbee, P.J.Cv.

IN RE: ACCUTANE LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY

CASE NO. 271

CIVIL ACTION

ACCUTANE® LITIGATION

ORDER REGARDING "WAVE VI CORE FACT DISCOVERY"

THIS MATTER having been brought before the Court by the parties, and the Court having considered the submissions of the parties and the parties having consented to the form and entry of the Order, and for good cause shown.

IT IS on this day of Sept 9, 2011

ORDERED as follows:

1. For purposes of this Order, core discovery comprises the depositions of (a) the Plaintiff and one family member (to be the Accutane decision maker if the Plaintiff was not the decision maker at the time of Accutane treatment); (b) a prescribing physician; (c) a treating physician involved in the diagnosis and/or treatment of Plaintiff injury (inflammatory bowel disease) alleged to be due to Accutane use; and (d) up to two sales representatives of Roche that called upon Plaintiff's prescribing physician(s).

2. Exhibit A attached hereto lists the cases to be included in Wave VI(A) of core discovery, which were selected by Plaintiffs. Core discovery depositions in the cases listed on Exhibit A shall begin September 15, 2011 and be completed by January 27, 2012.

3. Exhibit B attached hereto lists the cases to be included in Wave VI(A) of core discovery, which were selected by Defendants. Core discovery depositions in these cases shall begin November 14, 2011 and be completed by March 12, 2012.

4. The core discovery under this Order shall be conducted in accordance with the protocol set forth on Exhibit C. The dates for completion of the core discovery under this Order may be extended in individual cases for good cause shown with approval of the Court.

AND IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties upon receipt.



Honorable Carl E. Higbee, P.J. Cx

EXHIBIT A

NAME	DOCKET NUMBER	FIRM
Crespin, Chandler	4014-11	Bailey, Perrin
Hopfer, Sharon	4083-11	Bailey, Perrin
Maradeo, Matthew	TBA	Bailey, Perrin
Palmer, Robert	TBA	Bailey, Perrin
Collin, Mitchell	2913-11	Balkin & Eisbrouch
Conklin, Michael	7577-10	Balkin & Eisbrouch
Dawydowych, Monica	1126-11	Balkin & Eisbrouch
Mertens, Wayne	1113-11	Balkin & Eisbrouch
Fouts, Andrew	2909-11	Clark, Burnett
Huffman, Diane	4509-11	Clark, Burnett
Propes, Margaret	4529-11	Clark, Burnett
Puckett, Jon-Michael	TBA	Clark, Burnett
Ware, Bridget	4518-11	Clark, Burnett
Schur, Joseph	7266-10	Cohn Liffand
Conroy, Jevon	7768-10	D'arcy Johnson
Fayssoux, Julia	3176-11	D'arcy Johnson
Anderson, Brooks	889-11	D'onofrio
Harris, Jeff	896-11	D'onofrio
Hoertz, Christopher	7104-10	D'onofrio
Al-Khafaji, Chandra	7688-10	Lanier
Flanders, Rudyard	509-11	Lanier
Kalich, Derek	5511-10	Lanier
Mimitz, Brittanie	3214-11	Lanier
Olswanger, Justin	3216-11	Lanier
Robinson, Carrie	5519-10	Lanier
Evans, Gregory	7324-10	Miller
Miller, Adam	6395-10	Miller
Crider, Alison	3009-11	Napoli Bern
Forgione Jr., Matthew	3012-11	Napoli Bern
Ruskaup, Holly	3322-11	Napoli Bern
Victorine, Joseph	3015-11	Napoli Bern
Genna, Andrew	6768-10	Napoli Bern
Arnold, Paul Logan	6889-10	Orlando
Bankston, Melanie	TBA	Orlando
Campbell, Ozell, Jr.	3942-11	Oriando
Ratliff, Michael Shade	7374-10	Orlando
Florent, Aaron	4624-10	Weitz & Lux
Fonseca, Nicholas	5358-10	Weitz & Lux
Giesecke, Matt	4834-10	Weitz & Lux
Irons, Christopher	3808-10	Weitz & Lux
Losito, Thomas	3836-10	Weitz & Lux
Lurie, Jared	4642-10	Weitz & Lux
Ryan, Tom	4350-10	Weitz & Lux
Scoggins, Dennis	3874-10	Weitz & Lux
Smothermon, Jennifer	6816-10	Weitz & Lux

Stephens, Zachary	5675-10	Weitz & Lux
Boothe, Aaron	2340-11	Williams Cuker
Cambria, Josephine	3915-11	Williams Cuker
Catena, Mark	3909-11	Williams Cuker
DeLullo, Kevin	4588-11	Williams Cuker
Quaite, Lelia	4598-11	Williams Cuker
Sloan, James T.	4591-11	Williams Cuker
Trout, Clinton	233-11	Williams Cuker
Venable, Chad	2341-11	Williams Cuker
Wiedmeier, Justin	TBA	Williams Cuker
Zale, Bradley	1067-11	Williams Cuker

EXHIBIT B

Core Discovery
Wave 6(b) Case Selections

1.	Aebersold, Mary	6110-11	(Bailey)
2.	Herbert, Alton	5981-11	(Bailey)
3.	Von Loh, Alesha	7360-11	(Bailey)
4.	Wardak, Ahad	7405-11	(Bailey)
5.	Weiner, Jill	7417-11	(Bailey)
6.	Curry, Catrina and Willie J.	6239-11	(Balkin)
7.	Gomez, Benito	7572-11	(Balkin)
8.	Finkel, Lawrence	4504-11	(Cohen Placitella)
9.	Johnson, Jessica F.	6349-11	(D'Arcy)
10.	Rodehorst, Merit D.	6343-11	(D'arcy)
11.	Gordon, Valerie	6541-11	(Donfrio)
12.	McMahon, Ramona L.	6629-11	(Donfrio)
13.	Madsen, Christina	6483-11	(Donofrio)
14.	Belew, Cynthia	317-11	(Lanier)
15.	Jensen, Michael	5510-10	(Lanier)
16.	Leviton, Andrew	5227-11	(Miller)
17.	McKelvey, Arthur J.	5602-11	(Miller)
18.	Neihart, Brian	5605-11	(Miller)
19.	Bransford, Toni	5103-11	(Napoli)
20.	Conyers, Donald	5117-11	(Napoli)
21.	Gaddy, Mark	5637-10	(Napoli)
22.	Lombardi, Rosemarie	5558-11	(Napoli)
23.	Lucius, John	5570-11	(Napoli)
24.	Markovitz, Scott	5159-11	(Napoli)
25.	Pellegrino, Jerry	5180-11	(Napoli)
26.	Scanlon, Susan	5654-11	(Napoli)
27.	Schofield, Lynn	5211-11	(Napoli)
28.	Smith, Scott A.	7057-11	(Napoli)
29.	Carlington, Kimberley	6162-11	(Perskie Wallach)

30.	Benhusen, Samar	3804-10	(Weitz)
31.	Denton, Debbie	3776-10	(Weitz)
32.	Elardo, Rachel	3782-10	(Weitz)
33.	Gist, Steven	3822-10	(Weitz)
34.	Kotrla, David	3829-10	(Weitz)
35.	Margolies, Ryan	3793-10	(Weitz)
36.	Munoz, Hector	3809-10	(Weitz)
37.	Petragnani, Dennis	3830-10	(Weitz)
38.	Pinkerton, Nick (Nicholas)	3868-10	(Weitz)
39.	Simon, David	3840-10	(Weitz)
40.	Williams, Logan	1820-10	(Weitz)
41.	Dinbokowitz, Troy Sr.	3779-10	(Weitz)
42.	Sicilia, Justin	4041-10	(Weitz)
43.	Weiner, Laura	4124-10	(Weitz)
44.	Brant, Carolyn	4394-10	(Weitz)
45.	Hotelling, Joann & David	4306-10	(Weitz)
46.	Prokosch, Susan	4385-10	(Weitz)
47.	Sackville, Yehuda	4351-10	(Weitz)
48.	Cimmino, Anthony	4782-10	(Weitz)
49.	Magnuson, Kevin	4803-10	(Weitz)
50.	Hernandez, Emily Fay	5527-11	(Williams Cukor)
51.	Koeplin, Debbie L.	7526-11	(Williams Cukor)
52.	Liggins, Phreida	6489-11	(Williams Cukor)
53.	Robbins, Christopher M.	6457-11	(Williams Cukor)
54.	Trevino, Tammy Festervand	6453-11	(Williams Cukor)
55.	Sims, Tanya	4085-11	(Williams Cukor)
56.	DeLullo, Kevin P.	4588-11	(Williams Cukor)

EXHIBIT C

Protocol for Conduct of Wave VI Core Discovery

- A. Depositions start September 15, 2011 and discovery completed by January 27, 2012.
1. Complaints must be filed and served in all cases listed for Wave VI(A) no later than August 1, 2011. Those Plaintiffs that fail to comply with this deadline will be removed from Wave VI(A) Core Discovery.
 2. Initial Plaintiffs' Fact Sheets must be served in all cases listed for Wave VI(A) no later than August 8, 2011. Those Plaintiffs that fail to comply with this deadline will be removed from Wave VI(A) Core Discovery.
 3. Plaintiffs shall supplement fact sheets and serve or supplement e-discovery, as appropriate on or before September 1, 2011. Defendants shall not be required to take the deposition of a Plaintiff sooner than fifteen days from receipt of the Supplements.
 4. Plaintiffs will provide 2 alternative deposition dates for plaintiffs at least 14 days prior to the first deposition date, with dates beginning on or after September 15, 2011 and Roche will notify plaintiffs within 5 business days which date it selects and that date will be a final date.
 5. Plaintiff depositions shall be scheduled for dates prior to physician deposition dates.
 6. Roche will identify physicians to be deposed on or before September 15, 2011 subject to change for good cause based on subsequent record receipt or a plaintiff's deposition.
 7. Plaintiffs will provide 2 alternative deposition dates for physicians at least 14 days prior to the first deposition date (and will use their good faith to attempt to provide 3 dates). Roche will notify plaintiffs within 5 business days which date it selects and that date will be a final date, unless a physician's schedule requires a change. Plaintiffs and Roche recognize that there may be times when a physician provides only 1 date and there may be coverage issues in such instances. The parties will work together to resolve scheduling and coverage issues and may have to re-schedule an individual physician deposition beyond the deadline.
 8. In the event plaintiffs determine a physician is not going to cooperate in agreeing to deposition dates, plaintiffs shall notify Roche that the physician is not cooperating. Within 14 days of being so notified, Roche shall move for a commission to subpoena the uncooperative physician or advise of another physician to be deposed.
 9. The January 27, 2012 deadline may be extended in individual cases for good cause shown only upon approval by the Court.

- B. Depositions start November 14, 2011 and discovery completed by March 12, 2012.
1. Complaints must be filed and served in all cases listed for Wave VI(B) no later than August 15, 2011. Those Plaintiffs that fail to comply with this deadline will be removed from Wave VI(B) Core Discovery.
 2. Initial Plaintiffs' Fact Sheets must be served in all cases listed for Wave VI(B) no later than September 15, 2011. Those Plaintiffs that fail to comply with this deadline will be removed from Wave VI(B) Core Discovery.
 3. Plaintiffs shall supplement fact sheets and serve or supplement e-discovery, as appropriate on or before October 17, 2011. Defendants shall not be required to take the deposition of a Plaintiff sooner than fifteen days from receipt of the Supplements.
 4. Plaintiffs will provide 2 alternative deposition dates for plaintiffs at least 14 days prior to the first deposition date with dates beginning on or after November 14, 2011 and Roche will notify plaintiffs within 5 business days which date it selects and that date will be a final date.
 5. Plaintiff depositions shall be scheduled for dates prior to physician deposition dates.
 6. Roche will identify physicians to be deposed on or before November 14, 2011 subject to change for good cause based on subsequent record receipt or a plaintiff's deposition.
 7. Plaintiffs will provide 2 alternative deposition dates for physicians at least 14 days prior to the first deposition date (and will use their good faith to attempt to provide 3 dates). Roche will notify plaintiffs within 5 business days which date it selects and that date will be a final date, unless a physician's schedule requires a change. Plaintiffs and Roche recognize that there may be times when a physician provides only 1 date and there may be coverage issues in such instances. The parties will work together to resolve scheduling and coverage issues and may have to re-schedule an individual physician deposition beyond the deadline.
 8. In the event plaintiffs determine a physician is not going to cooperate in agreeing to deposition dates, plaintiffs shall notify Roche that the physician is not cooperating. Within 14 days of being so notified, Roche shall move for a commission to subpoena the uncooperative physician or advise of another physician to be deposed.

The March 12, 2012 deadline may be extended in individual cases for good cause shown only upon approval by the Court.