

FILED

JAN 14 2009

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Carol E. Higbee, P.J.Cv.

Attorneys for Plaintiff

IN RE: FOSAMAX LITIGATION

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY**

CASE NO. 282

CIVIL ACTION

APPLIES TO ALL CASES

ORDER CONCERNING LIAISON COUNSEL AND INITIAL DISCOVERY

IT IS HEREBY ORDERED as follows:

1. There are matters common among all plaintiffs that require the coordinated efforts of the various plaintiffs' counsel that have filed actions in these coordinated proceedings, including discovery, communications with the Court, and motion practice, and the appointment of liaison counsel would aid in these efforts.

2. Christopher A. Seeger, Esq., of the law firm Seeger Weiss LLP, has substantial experience in prosecuting coordinated proceedings in mass torts in New Jersey and in other jurisdictions, and is hereby appointed Plaintiffs' Liaison Counsel.

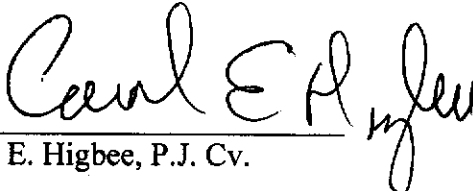
3. Plaintiffs' Liaison Counsel shall (1) serve as the primary contacts for communication between the Court and other plaintiffs' counsel; (2) ensure that all notices, orders, and material communications are properly distributed (to the extent they are not otherwise served on plaintiffs' counsel); (3) convene meetings of counsel; (4) maintain and make

available to other plaintiffs' counsel documents produced by defendant; and (5) otherwise assist in the coordination of activities and positions of plaintiffs in the FOSAMAX litigation.

4. Eileen Oakes Muskett, Esquire, has substantial experience in the handling of complex litigation in Atlantic County Superior Court, in the Federal District Court of New Jersey and other counties in New Jersey, and is hereby appointed Defendant's Liaison Counsel.

5. Upon entry of an approved Confidentiality Order, defendant shall promptly produce copies of all non-case-specific materials produced in the *Fosamax Products Liability Litigation*, 1:06-MD-1789 in the United States District Court, Southern District of New York, to New Jersey Plaintiffs' Liaison Counsel.

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all counsel within 7 days of the date hereof.



Carol E. Higbee, P.J. Cv.

Dated: Jan 14, 2009

CLAC; 296716.1