

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

IN RE: RISPERDAL / SEROQUEL /
ZYPREXA LITIGATION

FILED

APR 28 2011

JUDGE JESSICA R. MAYER

CIVIL ACTION

Case Code: 274

AMENDED

CASE MANAGEMENT ORDER No. 41

THIS MATTER having come before the court at the case management conference conducted on April 27, 2011; and counsel having requested a sixty (60) day extension deadlines set forth in Case Management Order 41; and good cause having been shown;

IT IS on this 28th day of April, 2011,

ORDERED as follows:

1. Counsel shall be permitted the following discovery in each of the ten (10) selected cases: deposition of each plaintiff; depositions of not more than five (5) prescribing healthcare professionals and/or treating physicians; and depositions of not more than two (2) sales representatives. Discovery for the ten (10) selected cases shall be completed by **June 30, 2011**.
2. Upon completion of the discovery specified in paragraph 1, counsel shall provide the court with a written analysis of the ten (10) selected trial cases. Counsel's written analysis shall be served by **July 8, 2011**.
3. On or before **July 22, 2011** the court shall select three (3) cases for trial.
4. Plaintiffs' expert reports in the three (3) court selected cases for trial shall be provided no later than **August 24, 2011**.
5. AstraZeneca Defendants' expert reports in the three (3) court selected trial cases shall be provided no later than **September 28, 2011**.
6. Depositions of experts in the three (3) court selected trial cases shall be completed no later than **October 31, 2011**.


7. All dispositive motions and motions relating to the admissibility of expert testimony (Kemp/Rule 702) in the three (3) court selected trial cases shall be filed and served according to the following schedule:
 - (a) Motions: no later than **November 18, 2011**;
 - (b) Oppositions: no later than **December 6, 2011**;
 - (c) Replies: no later than **December 12, 2011**;
 - (d) Return date: **December 16, 2011** (with oral argument to be scheduled by the court.)
 - (e) Any Kemp/Rule 702 hearings deemed necessary by the court to be held on dates to be scheduled between **January 1 through January 31, 2012**.

8. All in limine motions in the three (3) court selected trial cases shall be filed and served according to the following schedule:
 - (a) Motions: no later than **February 1, 2012**;
 - (b) Oppositions: No later than **February 9, 2012**;
 - (c) Oral argument: to be scheduled by the court if deemed necessary.

9. The schedule for the exchange and submission of deposition designations in the three (3) court selected trial cases shall be as follows:
 - (a) Counsel to exchange proposed deposition designations **January 6, 2012**;
 - (b) Counsel to exchange objections for deposition designations and counter designations **January 13, 2012**;
 - (c) Counsel to meet and confer regarding deposition designations during the week of **January 23, 2012**;
 - (d) Counsel to submit to the court formal written objections to any unresolved deposition designations no later than **February 6, 2012**.

10. The schedule for the exchange and submission of proposed exhibit lists and witness lists for the three (3) court selected trial cases shall be as follows:
 - (a) Counsel to exchange proposed exhibit lists and witness lists no later than **February 20, 2012**;
 - (b) Counsel to serve objections to proposed exhibit lists and witness lists no later than **March 5, 2012**;

- (c) Counsel to submit final exhibit lists and witness lists to the court no later than **March 19, 2012**.
11. A one page joint statement of the case for the jury pool, joint submissions of questions for the jury voir dire, proposed jury charges and proposed verdict sheet for each of the three (3) court selected trial cases shall be submitted to the court no later than **March 30, 2012**.
12. All of the aforementioned documents to be filed with the court shall be filed by 12:00 p.m. on the due date.
13. Trials for the three (3) selected cases will be tried simultaneously with a one (1) week delay to accommodate jury selection for each trial case. The trials for the three (3) selected cases shall be: **April 16, 2012; April 23, 2012; and April 30, 2012**.
14. A copy of this order shall be posted by the court within seven (7) days of the date of this order.



Jessica R. Mayer, J.S.C.