FILED

DEC 21 2007

Carol E. Higbee P.J.Cv

GIBBONS P.C.
A Professional Corporation
One Gateway Center
Newark, New Jersey 07102
(973) 596-4500
Attorney for Defendants Hoffmann-La Roche Inc.
and Roche Laboratories Inc.

In re: ACCUTANE LITIGATION	: SUPERIOR COURT OF NEW JERSEY : LAW DIVISION : ATLANTIC COUNTY : : Civil Action : : : Case No. 271 : : **CASE MANAGEMENT ORDER No. 15** :

THIS COURT, having directed the parties to submit a trial schedule for the following matters: Reynolds v. Hoffmann-La Roche Inc. et al., Docket No. ATL-L-2644-03 and Kendall v. Hoffmann-La Roche Inc. et al., Docket No. ATL-L-8213-05 and for good cause shown,

IT IS on this 21 day of Dec, 2007

ORDERED that the trial schedule shall be as follows:

I. Trial Date: Jury selection shall commence on **March 31, 2008**.

II. De Bene Esse Depositions: The parties shall complete all such depositions no later than **February 1, 2008**. Any exhibits to be used during direct or cross examinations of such depositions shall be identified to opposing counsel by bates range no less than 24 hours prior to the commencement of the deposition.

III. Expert Depositions: Expert Depositions for both parties shall by completed by **February 15, 2008**. The sponsoring party for each expert shall provide to opposing counsel seven calendar days prior to the scheduled deposition a disk containing all materials provided to the expert or that the expert otherwise relies upon.

IV. Trial Exhibit Lists:

A. Plaintiffs served their Exhibit Lists on December 7, 2007. Plaintiffs may supplement or otherwise amend these lists without restriction, including up to 125 exhibits on their general list, by **February 1, 2007**.

B. On or before **February 8, 2007**, Defendants shall serve the following exhibit lists:

1. A single list, to be applicable to all four cases, containing a maximum of one hundred (125) individual documents (not categories of documents), other than learned treatises or Plaintiff's medical, educational and employment records.

2. A single list of learned treatises, including any textbooks, documents, articles, medical or scientific literature, and studies, that Defendants intend to use on either direct examination or cross-examination.

3. A case specific list of medical, educational, employment, and other records for each Plaintiff.

V. Deposition Designations: On or before **February 29, 2008,** Plaintiffs shall serve their affirmative deposition designations (limited to their witness lists) for actual use at trial in each case. On or before **March 14, 2008**, Defendants shall serve their counter-designations to Plaintiffs' affirmative depositions designations, as well as Defendants' affirmative deposition designations (limited to their witness lists) for actual use at trial On or before **March 21, 2008**, Plaintiffs shall serve their counter-designations to Defendants' affirmative deposition designations.

VI. Dispositive, Kemp, and In Limine Motions: Subject to adjustment by the Court, dispositive, Kemp, and in limine motions shall be filed on or before **February 22, 2008**. Opposition papers shall be filed on or before **March 12, 2008**. Reply papers, if any, shall be filed on or before **March 19, 2008**. In their filings on **February 22, 2008**, the Parties shall advise the Court in a joint proposal setting forth three categories of such motions: (1) those motions that are stipulated based on the Court's prior rulings in McCarrell; (2) those motions which are being filed to preserve the Parties' appellate rights but which do not need additional argument; and (3) those motions that will require new briefing and argument.

VII. Juror Questionnaire: On or before **March 3, 2008,** Defendants shall serve their proposed juror questionnaire. Plaintiffs shall provide proposed changes, additions or deletions by **March 10, 2008**. The parties shall meet and confer on or before **March 21, 2008**. Any outstanding disputes as to the contents of the juror questionnaire will be addressed by the Court at the Final Pre-Trial.

VIII. Final Pre-Trial: Any oral arguments on all dispositive, in limine and Kemp motions and objections to witness lists, exhibit lists and deposition designations, and any Lopez hearings, if applicable, shall be heard on **March 26-27, 2008**. A Rule 104 evidentiary hearing on the admissibility of expert testimony may be scheduled at the Court's discretion prior to the commencement of trial.

IX. Preparation of Courtroom: On **March 27 and 28, 2008**, Plaintiff and Defendants, and their respective agents, shall have access to the courtroom for trial preparation purposes.

X. Trial:

A. Time Limits: The Plaintiffs shall have thirty-six (36) hours and the Defendants shall have thirty-four (34) hours maximum for testimony, excluding opening statements and closing arguments.

B. Witness Identification: Parties shall identify witnesses they intend to call no less than 36 hours in advance (e.g., by 5 pm on Monday, all witnesses to be called on Wednesday).

Honorable Carol E. Higbee, P.J.Cv.