

FILED

JUN 27 2005

IN RE: PPA Litigation
(Phenylpropanolamine)

BRYAN D. GARRUTO, J.S.C.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
LAW DIVISION
CASE CODE NO. 264

CASE MANAGEMENT ORDER NO. 28

This matter having been opened on the court's own motion pursuant to R. 1:13-1 and in furtherance of Case Management Orders 1-26 and R.1: 1-2 for the establishment of pre-trial schedules for certain matters listed on the Court's trial docket, and the Court having considered the submission of the parties, the Court having entry of this Order and for good cause shown,

IT IS on this ^{27th}~~20~~ day of JUNE 2005, **ORDERED**:

With respect to the PPA cases noted on the Court's website as being listed for trial from September 2005 to October 2006, the following schedule shall apply:

A. Dispositive and case-specific *Kemp* Motions:

File Motion: eight (8) weeks prior to trial date
File Opposition: four (4) weeks prior to trial date
File Reply: ten (10) days after opposition is submitted
Oral Argument: Motion Day* immediately prior to trial date

* New Jersey Superior Court's scheduled date for motions unless otherwise notified by the presiding trial judge.

B. Exchange proposed exhibits and exhibit list among counsel and submission of copies of such lists to the Court: four (4) weeks prior to trial date.

C. Exchange of initial witness lists among counsel and submission of copies of such lists to the Court: four (4) weeks prior to trial date.

D. Service of deposition designations and submission of copies of such materials to the Court: four (4) weeks prior to trial date.

E. Service of deposition counter designations and objections with submission of copies of such materials to the Court: three (3) weeks prior to trial date.

F. *In Limine* Motions:

File Motion:	four (4) weeks prior to trial date
File Opposition:	eight (8) days after submission of motion <i>in limine</i>
File Reply:	five (5) days after opposition is submitted
Oral Argument:	Motion Day* immediately prior to trial date

* New Jersey Superior Court's scheduled date for motions unless otherwise notified by the presiding trial judge.

F. Exchange of proposed exhibit objections and submission of copies of such materials to the Court: three (3) weeks prior to trial date.

G. The parties may file supplemental motions under paragraphs 1A and 1E, and the designations and objections under paragraphs 1B, 1C, 1D and 1F based upon discovery conducted between the deadlines for those submissions and three (3) weeks prior to trial date.

H. Submission of final exhibit lists to the Court: two (2) weeks prior to trial date.

I. Trial brief submission to the Court: two (2) weeks prior to trial date.

J. All trials will be electronic and paperless. Each counsel should have available a hard copy backup.

K. Witness testimony may be taken in the courtroom, on video with proper notice, or by virtual reality.

L. All documents filed with the court's office must be done by 12:00 PM on the due date.

ORDERED that the defendant shall serve a copy of this Order within 5 days of the date hereof.



Honorable Bryan D. Garruto, J.S.C.