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

IN RE: LEVAQUIN® LITIGATION	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: ATLANTIC COUNTY CASE NO. 286 **CASE MANAGEMENT ORDER NO. 13** **ORDER APPROVING SHORT FORM COMMISSION PROCESS**

This matter, having been opened to the Court by counsel for the Parties, and the Parties having consented, stipulated and agreed to the entry of this Case Management Order, and good cause appearing therefore;

IT IS, on this 15 day of Nov, 2010, hereby **ORDERED** as follows:

1. The Order for Commission and Commission to obtain out-of-state discovery in the form attached as Exhibit A have been approved for use in the cases centralized for management in *In re LEVAQUIN® Litigation*, Case No. 286, Superior Court of New Jersey, Law Division, Atlantic County.

2. A copy of this Order shall be served upon all counsel of record in these consolidated proceedings by Plaintiffs' Liaison Counsel within seven-days from the date of entry.

IT IS SO ORDERED

Carol E. Higbee

HON. CAROL E. HIGBEE, P.J.Cv.

FP01/ 6385156.1

EXHIBIT A

Mass Tort Clerk's Office
Superior Court of New Jersey
Atlantic County Civil Court Building
1201 Bacharach Boulevard
Atlantic City, New Jersey 08401

Re:
Docket No.:

Dear Sir/Madam:

Pursuant to this Court's Order Approving Short Form Commission Process, dated _____, 2010, plaintiff/defendant_____ submits an original and two copies of a proposed Order for Commission and Commission ("Order") for the issuance of a subpoena for:

1. Name of witness, city/state, for testimony and records regarding the medical care, treatment and condition of _____.

Pursuant to this Court's Order Approving Short Form Commission Process, if the enclosed meets with the Court's approval and no written objection is received within seven (7) business days, kindly enter the Order and return "filed" copies of each, bearing the Court's official seal in the enclosed envelope.

We appreciate the Court's consideration of this matter.

Respectfully submitted,

_____

Enclosures
cc: Plaintiff's/Defendant's counsel (w/encl.)

FP01/ 6385156.1

Plaintiffs, v. Defendants	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: ATLANTIC COUNTY DOCKET NO. L- - -MT CIVIL ACTION LEVAQUIN LITIGATION CASE CODE 286 **ORDER FOR COMMISSION AND COMMISSION AUTHORIZING THE ISSUANCE OF AN OUT-OF-STATE SUBPOENA *AD TESTIFICANDUM* AND *DUCES TECUM***

THIS MATTER having been opened to the Court upon application by _____, attorneys for plaintiff/defendant _____ pursuant to Rule 4:11-5 for entry of an Order compelling _____ (to produce records and documents regarding _____, if applicable, and) to provide sworn testimony at deposition, and for good cause having been shown for the entry of issuance of a Commission authorizing the issuance of a deposition subpoena and the production of documents in this matter;

IT IS on this _____ day of _____, 2010;

ORDERED that the application to issue a Commission for the issuance of a subpoena compelling deposition testimony (and the production of documents, if applicable) by _____ is hereby **GRANTED**; and the following Commission is hereby issued:

COMMISSION

1. Plaintiff/Defendant _____ having demonstrated the need for certain information and documents to be produced in connection with the matter herein and requiring a subpoena from the Courts of the State of _____ for their production, the Superior Court of New Jersey, through the undersigned Judge, hereby respectfully commissions and solicits the assistance of the Courts of the State of _____ or such subordinate office as it may designate to issue with due diligence to Plaintiff/Defendant _____ a Subpoena *Duces Tecum* and *Ad Testificandum* in a form acceptable to the Court Rules of the State of _____ and in accordance with the customs and traditions of the Courts of the State of _____ compelling the following individual(s) to produce documents and things and give testimony: _____.

2. A copy of the Order shall be served upon all counsel of record in this action within seven days from the date of entry.

_____
HON. CAROL E. HIGBEE, P.J.Cv.

FP01/ 6385156.2