FILED

JUL 24 2009

Carol E. Higbee, P.J.Cv.

IN RE: LEVAQUIN LITIGATION	SUPERIOR COURT OF NEW JERSEY LAW DIVISION:ATLANTIC COUNTY CASE NO. 286 CIVIL ACTION CASE MANAGEMENT ORDER NO. 2

This matter, having been the subject of a Case Management Conference before the court and all counsel on July 15, 2009, and for good cause shown,

IT IS ON THIS 24th day of July, 2009, ORDERED as follows:

1. Richard D. Meadow, Esq. of the Lanier Law Firm and Michael A. London, Esq. of the law firm of Douglas & London, P.C. be and hereby are appointed as co-liaison counsel for the plaintiffs in this litigation. Susan M. Sharko, Esq. of the law firm of Drinker Biddle & Reath, LLP, be and hereby is appointed as liaison counsel for the defendants in this litigation. Lewis J. Saul, Esq. of Lewis Saul & Associates for the plaintiffs, and John Dames, Esq. of the law firm of Drinker Biddle & Reath, LLP, for the defendants are appointed as counsel in the New Jersey State mass tort action to act as liaison between the Federal MDL and the New Jersey State Court.

2. Plaintiffs obligations to respond to outstanding discovery requests propounded by defendants in cases filed in the New Jersey State Courts prior to the first management conference held on July 15, 2009 is stayed until further order of the court.

3. The filing of all answers is stayed until 30 days after the filing of the plaintiffs' Master Complaint and the adoption of the plaintiffs' short form complaint.

4. On or before August 7, 2009, plaintiffs' counsel shall file a master long form complaint. Thereafter, all complaints in this litigation filed on or before August 7, 2009 shall be deemed to be amended to conform to the master long form complaint. All complaints filed after August 7, 2009 shall be in an agreed-upon short form which shall refer back to adopt the master long form complaint as appropriate. Service of the master complaint on defendants shall be deemed sufficient by virtue of service of the master complaint on defendants' liaison counsel. However, short form complaints as to individual plaintiffs must be served in accordance with the Rules of Court.

5. On or before August 28, 2009, the defendant shall file a master long form answer responding to the master long form complaint and short form answers to all unanswered complaints which had been served by August 7, 2009. All previously-filed answers shall be deemed to be amended to adopt this long form answer by reference. Thereafter, defendants shall have twenty-one (21) days from the date of service of a short-form complaint to file a short-form answer. Defendants shall also serve a copy of all short form answers on plaintiffs' co-liaison counsel.

6. Counsel shall meet and confer on the following issues and present to the court on or before September 15, 2009, agreed upon pleadings and case management orders and proposed case management orders adopting same, and/or a list of issues which cannot be resolved without the assistance of the court;

A. Plaintiff fact sheet.

B. Medical records authorizations.

C. Defense fact sheet.

D. Protective order.

E. Master Set of Interrogatories/Document Demands to be propounded by plaintiffs.

7. All discovery taken in the MDL litigation In re: Levaquin Products Liability Litigation; MDL No. 08-1943 (JRT), including, but not limited to written discovery responses and depositions, may be used in the New Jersey litigation, subject to and without waiver of, all objections and legal arguments and evidentiary rule requirements.

CAROL E. HIGBEE, P.J.Cv.