SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

FILED
AUG 15 2014
BRIAN R. MARTINOTTI, J.S.C.

IN RE: MIRENA® LITIGATION

This Document Relates to All Actions

CASE NO. 297

MASTER DOCKET NO.:
BER-L-4098-13

CASE MANAGEMENT ORDER NO. 30

ORDER REGARDING THE PRODUCTION OF SALES REPRESENTATIVE CUSTODIAL FILES FOR CASES IN THE INITIAL DISPOSITION POOL

The parties having met and conferred and agreed on an Amended Scheduling Order and for good cause shown;

It is on this 15th day of August, 2014

ORDERED that:

1. For each case in the Initial Disposition Pool (IDP), Plaintiffs may identify for further discovery certain sales representatives with Mirena responsibilities who called on Plaintiff's inserting physician. The number of sales representative custodial files and sales representative depositions that may be requested shall be determined by the number of sales representatives identified in the Defendant Fact Sheet (DFS) as calling upon the inserting physician:

   a. For cases where 5 or less sales representatives are identified in the DFS as having called upon the inserting physician, Plaintiffs may request up to two sales representative custodial files and take up to two sales representative depositions.

   b. For cases where 6-7 sales representatives are identified in the DFS as having called upon the inserting physician, Plaintiffs may request up to three sales representative custodial files and take up to two sales representative depositions.

c. For cases where 8 or more sales representatives are identified in the DFS as having called upon the inserting physician, Plaintiffs may request up to five sales representative custodial files and take up to three sales representative depositions.

2. The custodial files identified pursuant to Paragraph 1 shall be collected and reviewed as of September 5, 2014.

3. Plaintiffs shall identify all sales representatives pursuant to Paragraph 1 on or before September 5, 2014 or within twenty (20) days of receipt of the DFS in that specific case, whichever comes later.

4. Unless otherwise agreed, depositions of Plaintiffs or Defendants' current or former employees will take place within a reasonable distance from the city where the witness resides, at their respective counsel's office or at a mutually agreed location. Plaintiffs' counsel shall presumptively provide the location for Plaintiffs' depositions and Defendants shall provide the location for the deposition of its current employees and any former employees represented by the same counsel as Defendants

5. Plaintiffs may seek discovery of additional sales representative custodial files and/or depositions of additional sales representatives through agreement of the Parties or through a motion and good cause shown by Plaintiffs.

HONORABLE BRIAN R. MARTINOTTI, J.S.C.