FILED

OCT 19 2012

Carol E. Higbee, P.J.Cv.

IN RE: REGLAN LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY

CASE NO. 289

MASTER DOCKET: ATL-L-3865-10 CT

CIVIL ACTION

CASE MANAGEMENT ORDER NO. 17

THIS MATTER having been brought before the Court at the October 11, 2012 case management conference before all counsel and for good cause shown,

IT IS ORDERED ON THIS 19 day of Oct, 2012, that any defendant who did not manufacture or distribute generic metoclopramide tablets after July 26, 2004 and/or who only first manufactured or distributed metoclopramide tablets after July 26, 2004 and used the updated label and who is listed as active in a case consolidated before this Court, shall provide a certification from a company representative certifying to the facts above along with an order to dismiss all claims against it, with the cases listed on an attached Schedule A, which shall be signed if there is no objection within five (5) days;

IT IS FURTHER ORDERED THAT the remaining generic manufacturer and distributor defendants shall respond to the following demands as if served by Plaintiffs pursuant to R. 4:18-1 and within 35 days of the date of this order:

I. Definitions and Instructions For All Discovery Herein

1. "You" or "Your" shall mean the Answering Defendant.
2. "Label" refers to the FDA approved warning label for metoclopramide tablets, as per the Memorandum of Decision on Motion of Judge Higbee dated May 4, 2012, Section I. c.

II. Requests For Production of Documents

1. If You updated Your Label to conform to the July 26, 2004 change to the Reglan® label or distributed metoclopramide tablets with a label that was so updated, produce all documents or other records indicating the date You first shipped metoclopramide with the updated Label pursuant to Case Management Order No. 16, question 2, subsection (c). Alternatively, You may provide a certification that You have not identified any documents reflecting shipment of metoclopramide with a label containing the July 26, 2004 changes to the Reglan label.
2. For each Label printing ordered by You between July 26, 2004 and the date You identified in Your Response to Case Management Order No. 16, question 2, subsection (c), produce all purchase order(s) and invoices or, if You do not have purchase orders, provide all other documentation of such Label order(s). This request applies to every order for Labels placed during such time period, without regard to the Label version to which such order pertained.
3. If You printed Labels internally between July 26, 2004 and the date You identified in Your Response to Case Management Order No. 16, question 2, subsection (c), for each such printing, produce all documents indicating the specific Label(s) printed during such time period, the date(s) of each printing and the number of Labels printed.

IT IS SO ORDERED:

Dated: Oct 19, 2012

Carol E Higbee

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