

**IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY, PENNSYLVANIA**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL**

IN RE	:	
	:	
REGLAN®/METOCLOPRAMIDE	:	JANUARY TERM, 2010
LITIGATION	:	NO. 01997
	:	

DISCOVERY MASTER ORDER NO. 7

AND NOW, to wit, this 12th day of May, 2010, following an extended conference with counsel on May 7, 2010 the Court-appointed Discovery Master, Harris T. Bock, Esquire, hereby **ORDERS** as follows:

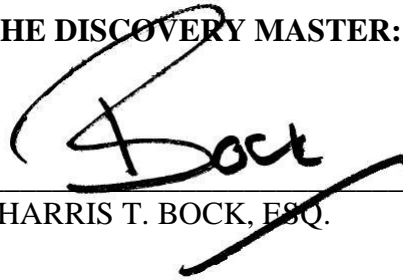
1. The next conference with the Discovery Master and all counsel electing to participate will be held **all day on Wednesday, May 26, 2010 commencing at 9:30 a.m., the location of which is to be determined.**
2. ***Hassett v. Dafeo CMO:*** In view of the Discovery Master’s status report to the Court on May 11, 2010, counsel shall work together to submit to the Discovery Master as soon as possible an agreed upon CMO for *Hassett*.
3. **Foreign Regulatory Matters:** Discovery Master Order No. 6 directed defense counsel to investigate and report to the Discovery Master and PLC the burden they contend exists in locating and producing communications to the defendants from foreign regulatory agencies regarding safety issues and changes to warning labels for Reglan®/metoclopramide. The Discovery Master is *sua sponte* extending the deadline to submit the foregoing to the close of business on Monday, May 24, 2010.

4. **Prior Expert Reports:** Consistent with Paragraph 5 of Discovery Master Order No. 6, the issue regarding the timing of the production of prior expert reports and transcripts shall be an agenda item for the May 26, 2010 discovery conference.
5. **Document Production Protocol:** Since the issue of document review and document production is highly technical, the Discovery Master directs counsel to submit their respective proposals for the production protocol prior to the next discovery conference. In addition, counsel shall confer in an attempt to establish “ground rules” to address potential scenarios involving the assertion of privilege of inadvertently produced documents.
6. **Defendants’ Fact Sheet:** Counsel will continue to work together to resolve any outstanding issues or objections. Prior to the next discovery conference, plaintiffs’ counsel will provide to the Discovery Master an updated draft of the Fact Sheet, with annotations for all remaining objections.
7. **Requests for Production:** The Discovery Master makes the following determinations on specific outstanding disputes with respect to Plaintiffs’ Master Second Set of Requests for Production of Documents Nos. 151 through 256:
 - a. Nos. 188 thru 193 – These requests involved potential privilege issues since they are requesting documents from the defendants’ legal departments. By the close of business on May 19, 2010, defense counsel shall submit to the Discovery Master their proposal for responding to said requests, including applicable legal authority supporting their position regarding the request for “legal opinions.”
 - b. Many objections and issues were either resolved or the request was altogether withdrawn. For all remaining issues, counsel shall work together in advance

of the next discovery conference to reduce any outstanding objections.

8. As soon as practicable prior to the upcoming conference, counsel shall submit to the Discovery Master a specific agenda regarding issues to be addressed at the May 26, 2010 conference, along with any supporting materials for the Discovery Master to review prior to the conference.

BY THE DISCOVERY MASTER:

A handwritten signature in black ink, appearing to read "H. Bock", is written over a horizontal line. The signature is stylized and cursive.

HARRIS T. BOCK, ESQ.