

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

IN RE: BENICAR (OLMESARTAN)
PRODUCTS LIABILITY LITIGATION

Master Docket No. 15-2606 (RBK/JS)

Case Management Order No. 28

(Bellwether Deposition Protocol)

1. **Location of Depositions.** The witnesses will be deposed in the federal district where they live, or such other place as agreed to by all counsel and the witness. Plaintiffs have the unilateral option to be deposed in the District of New Jersey.

2. **Order of Depositions.** The parties should endeavor to schedule depositions in the following order:

- Plaintiff, Plaintiff's spouse/significant other (to be conducted the day before/after Plaintiff) shall be deposed by July 19.
- Prescriber and Treater. The parties shall aspire to schedule these depositions within 30 days after the Plaintiff's deposition.
- Detail representative.

3. **Duration and Time Allocation.** Seven (7) hours for Defendants' deposition of each Plaintiff(s) and spouse/significant other.

For Prescriber and Treater depositions, time will be split evenly, and each side will have no more than three and a half (3.5) hours.

Plaintiffs' counsel shall be allotted 6 (six) hours for detail representative depositions. Defense counsel shall be allotted one (1) hour.

4. **Scheduling.** Either party may contact Prescriber and Treating physicians for scheduling purposes. Defense counsel shall only contact Prescriber and Treating witnesses for purposes of scheduling depositions.

5. **Fees.** Plaintiffs and Defendants shall evenly split any witness fee charged by a Prescriber or Treater witness, only after the parties have agreed to the fee proposed by the witness.

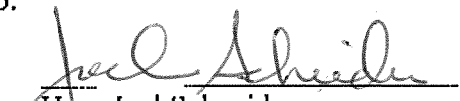
6. **Order of Questioning.** For detail representatives, Plaintiffs' counsel shall proceed first. For Prescribers and Treaters, the parties shall alternate who leads off as follows:

<u>Plaintiff</u>	<u>Prescriber</u>	<u>Treater</u>
1. Norman Block	Defendant	Plaintiff
2. Amelia Harris	Plaintiff	Defendant
3. Shirley Lovelady	Defendant	Plaintiff
4. Patricia Morgan	Plaintiff	Defendant

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| 5. Michelle Phillips | Defendant | Plaintiff |
| 6. Allen Priest | Plaintiff | Defendant |
| 7. Kathie Stapleton | Defendant | Plaintiff |
| 8. Rexanne Stiles | Plaintiff | Defendant |
| 9. Susan Sutton | Defendant | Plaintiff |
| 10. Lamar Williams | Plaintiff | Defendant |

7. **Prior Orders.** This bellwether deposition protocol shall not supersede any prior Order entered in this matter except as set forth above.

Camden, New Jersey, this 14th day of June, 2016.


 Hon. Joel Schneider
 United States Magistrate Judge