

IN THE 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)

O R D E R

The Court having held a discovery conference with the parties on August 30, 2016; and the Court having received the parties' August 29, 2016 Joint Status Report [Doc. No. 852]; and this Order intending to confirm the Court's rulings; and for the reasons stated on the record,

IT IS HEREBY ORDERED this 1st day of September, 2016, as follows:

1. Defendants' request to depose two (2) treating physicians for plaintiff Shirley Lovelady is DENIED.

2. Defendants request for the records of Dr. Robert Ogesen and The Women's Place related to plaintiff Michelle Phillips is DENIED. Defendants may subpoena Ms. Phillips' employment records from Arizona State University.

3. Defendants shall provide one additional date after September 17, 2016 for the deposition of the detail representative

for plaintiff Susan Sutton. Plaintiffs shall use their best efforts to accommodate the schedule of the witness. Defendants shall advise the Court if the parties do not agree on a date for the deposition.

4. The parties shall timely submit to the Court any dispute regarding their "pathology protocol."

5. Plaintiffs' request for the production of the custodial files of Kimberly Li and Paul Reed is DENIED. Defendants shall timely produce the custodial file for Amy Rubin.

6. Plaintiffs are granted leave to depose Tina Ho for an additional seven (7) hours.

7. By **September 14, 2016**, plaintiffs shall provide defendants with Mahmoud Ghazzi's deposition page and line numbers identifying his alleged missing documents. Defendants shall use their best efforts to produce the documents by **September 28, 2016**. Plaintiffs' request for the production of Mr. Ghazzi's entire custodial file is DENIED.

8. By **September 14, 2016**, plaintiffs are granted leave to file a motion to compel discovery related to the depositions of Stephan Freudentaler and Ulf Stellmacher and documents from Europe. Defendants shall respond by **September 26, 2016**. Oral argument will be held on **September 28, 2016**.

9. Plaintiffs' request to commence "sales and marketing discovery" is DENIED.

10. By **September 15, 2016**, defendants shall complete their production of the requested marketing documents; and it is further

ORDERED that a discovery conference will be held on **September 28, 2016 at 1:30 p.m.** in Courtroom 3C before the general status conference to be held the same day; and it is further

ORDERED that an interim discovery conference call is scheduled on **September 15, 2016 at 4:00 p.m.** Plaintiffs shall arrange the call. A joint status report shall be served by **September 14, 2016**. At the request of the parties, the conference call will be postponed if no material issues need to be addressed before September 28, 2016; and it is further

ORDERED that the current expert and motion deadlines in the case will not be extended even if the parties agree amongst themselves to take depositions after September 30, 2016.

s/ Joel Schneider  
JOEL SCHNEIDER  
United States Magistrate Judge