

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: BENICAR (OLMESARTAN * MDL 2606
PRODUCTS LIABILITY LITIGATION *
*
THIS DOCUMENT RELATES TO * JUDGE ROBERT B. KUGLER
ALL CASES *
* MAG. JUDGE JOEL SCHNEIDER

**ORDER REGARDING PROTOCOL FOR
OBTAINING AND USING PATHOLOGY SLIDES**

THIS MATTER having come before the Court, and the Court having considered the parties' submissions, and having heard the argument of counsel at the discovery hearing on September 28, 2016, and for the reasons stated on the record, and for good cause shown;

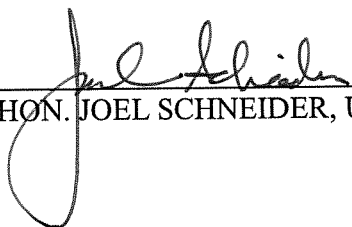
IT IS on this 26th day of October, 2016:

ORDERED that the following Protocol shall govern the parties' acquisition and use of pathology slides:

1. Each party will request standard recuts of pathology slides with Hematoxylin and Eosin staining.
2. Parties may also request one coated, unstained slide for additional staining as needed.
3. Before either party conducts any additional staining, they will contact the other party to advise them and to meet and confer. No additional staining will be done absent an agreement between the parties, or in the event agreement cannot be reached, Court Order.
4. Slides will be exchanged so each parties' experts may review the other party's slides.
5. If either party is informed that there are inadequate specimens available to create duplicate sets, the party so informed will immediately contact the other party to advise them and to meet and confer.

→ Unless there is 100% assurance that additional specimens are available to create duplicate sets,

6. The slides will be returned to the Plaintiff's counsel at the conclusion of a case and not retained by the defense.



HON. JOEL SCHNEIDER, U.S.M.J.