

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE: VALSARTAN, LOSARTAN, AND  
IRBESARTAN PRODUCTS LIABILITY  
LITIGATION

Civil No. 19-2875 (RBK/JS)

This Document Relates to:

*All Actions*

**STIPULATED ORDER EFFECTUATING AGREEMENT**  
**REGARDING ESI SEARCH TERMS PERTAINING TO THE ZHP DEFENDANTS**

**THIS MATTER HAVING COME** before the Court on Defendants' Motion to Modify the ESI Search Terms (Dkt. 445); and

**THIS COURT HAVING CONSIDERED** the parties' submissions in support of and in opposition to said Motion, as well as the argument and representations of counsel made during the telephonic status conference on June 17, 2020,

**IT IS HEREBY ORDERED**, this the 22<sup>nd</sup> day of June 2020, as follows:

1) Based on affirmations from counsel that an agreement has been reached to resolve the parties' current dispute concerning ESI search terms, the Defendants' Motion to Modify the ESI Search Terms is **DENIED AS MOOT** with respect to the Zhejiang Huahai Pharmaceutical Co, Ltd., Solco Healthcare U.S., LLC, Princeton Pharmaceutical Inc., and Huahai U.S., Inc. (the "ZHP Parties");

2) For purposes of effectuating and memorializing the agreement reached between Plaintiffs and the ZHP Parties, and based on the agreement between Plaintiffs and the ZHP Parties, the Court **STATES FURTHER**:


a. The ZHP Parties will search the custodial records of their U.S.-based custodians using the search terms contained in, and in the manner described in,

Exhibit H to the December 23, 2019 Order (Dkt. 328 at 29-57, the “December 23 Order”), except that they will apply the agreed modifications to those search terms set forth in Exhibit 1 to this Stipulated Order and additional agreed-to discrete modifications;

b. The ZHP Parties will expeditiously search the custodial records of their China-based custodians using the search terms contained in, and in the manner described in the December 23 Order, and the ZHP Parties and Plaintiffs will continue to meet and confer to refine those terms in the manner described in the December 23 Order, to the extent necessary; and

c. In addition to the above, the parties will proceed in accordance with the ESI Protocol (Dkt. 125), as well as their representations and the Court’s instructions made during the June 17, 2020 status conference, to resolve issues through the meet and confer process, if any, that might arise during the processing, review, and production of the ZHP Parties’ ESI.

**SO ORDERED.**

  
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JOEL SCHNEIDER  
United States Magistrate Judge

# **Exhibit 1**

Primary Search Term (this is meant to refer to a primary term with any applicable modifiers)	Agreed Primary Search Term Modifications for Princeton Custodians
(*11025* or *18253* or *202223* or *203311* or *203820* or *20473* or *205347* or *20939* or *23491* or *24544* or *24873* or *29392* or *77530* or *78030* or *90483* or *90642* or *90866* or *91235*)	Change to: (204821 or 206083 or *20939 or *23491)
(EIR or establishment inspection report)	Move from Stanalone Terms list to Regulatory List
DMF	Move to the QA-Testing List, and change AND to w/250
investigat*	Change AND to w/500, and remove the following Regulatory modifiers: ("Abbreviated New Drug Application" or ANDA), (CDC or "Centers for Disease Control"), (DEA or "Drug Enforcement Administration" or "Drug Enforcement Agency"), and ("Environmental Protection Agency" or EPA or USEPA or "US-EPA" or "1200 Pennsylvania Avenue").
inspect*	Change to (inspection or inspections or inspector or inspectors), change AND to w/500, and remove the following Regulatory modifiers: ("Abbreviated New Drug Application" or ANDA), (CDC or "Centers for Disease Control"), (DEA or "Drug Enforcement Administration" or "Drug Enforcement Agency"), and ("Environmental Protection Agency" or EPA or USEPA or "US-EPA" or "1200 Pennsylvania Avenue").
observation* [in Regulatory terms]	Change AND to w/500, and remove the following Regulatory modifiers: ("Abbreviated New Drug Application" or ANDA), (CDC or "Centers for Disease Control"), (DEA or "Drug Enforcement Administration" or "Drug Enforcement Agency"), and ("Environmental Protection Agency" or EPA or USEPA or "US-EPA" or "1200 Pennsylvania Avenue").
(OOS or "out of spec*" or "out-of-spec*")	Change AND to w/500
complain*	Move this to the Manufacturing modifiers list
fail*	Move to the Manufacturing List and then change AND to w/500
observation* [in QA terms]	Remove term
quality	Remove term
chromato*	Change AND to w/500
suitab*	Remove term
error*	Change AND to w/200
solvent*	Change AND to w/200
temperature	Remove term
recycl*	Change AND to w/200

death or dead or fatal	Change to (death or deaths or dead or deadly or fatal), and then change AND to w/200
distribut*	Remove term
(bury or burie* or conceal*)	Change AND to w/200
(cGMP* or (current pre/5 manufacturing) or GMP*)	Change AND to w/200; remove the following Regulatory modifiers: ("Food and Drug Administration" or FDA or USFDA or "US-FDA" or "College Park"), ("Abbreviated New Drug Application" or ANDA); remove the following Manufacturing modifier: test*; remove the following Inspect modifiers: Agency, regulat* (which has been changed previously to (regulatory or regulator or regulators)).
(cover up* or coverup* or cover up*)	Change AND to w/200
(crash* or disaster*)	Change AND to w/200
((data w/4 integrity) or (data w/4 reliabl*))	Change AND to w/200
(hide* or suppress*)	Change AND to w/200
whistleblow*	Change AND to w/200
Wang	Remove term
Min	Remove term
Patel	Remove term
(delet* or destroy* or remov* or trash* or shred*)	Split the English version of this term up into separate terms and report the hit counts in the five rows below. Report the hits for the Chinese term (without breaking it up) in the row below the English terms. Each terms should remain in the cGMP list, and each term should use w/200.
delete*	Change AND to w/200
destroy*	Change AND to w/200
remov*	Remove
trash*	Change AND to w/200
shred*	Change AND to w/200
Chinese terms together	Change AND to w/200
blood	Remove term
Brown	Remove
(Brown w/3 Darren)	Remove
Dong	Remove
(Dong w/3 Eric)	Remove
George	Remove
(George w/3 Jogy)	Remove
Hall	Remove
(Hall w/3 Patrice)	Remove
Jones	Remove
(Jones w/3 Latouria)	Remove
Khan	Remove
(Khan w/3 Farhana)	Remove
Nguyen	Remove

(Nguyen w/3 Troung)	Remove
Ray	Remove
Ray w/3 Marcus	Remove
Roberts	Remove
(Roberts w/3 Daniel)	Remove
Roy	Remove
(Roy w/3 Melissa)	Remove
Schwartz	Remove
(Schwartz w/3 Paul)	Remove
Shah	Remove
(Shah w/3 Dipesh)	Remove
Xu	Remove
(Xu w/3 Atul)	Remove
Young	Remove
(Young w/3 Rochelle)	Remove
ANDA	Remove
Camber	Remove
carcin*	Move from Standalone Terms to Medical Conditions List
genotoxic*	Move from Standalone terms to both Regulatory terms and QA Testing terms.
degradant* or impurit*	Split this term up into separate terms and report the hit counts in the two rows below. Each term should remain in the QA-Testing list, and each term should use w/200. Also, do not run the Manufacutring modifier "impurit* and degradant*" against these terms.
degradant* or 降解物 or 降解产物	Change AND to w/200
impurit* or 杂质 or 不纯	Change AND to w/200
expir*	Change AND to w/150
bioequiv*	Change AND to w/150
hazard*	Change AND to w/150
heat	Change AND to w/150
abnorm*	Change AND to w/150
risk*	Change AND to w/150
toxic*	Change AND to w/150
(unknown* or unk or unks)	Change AND to w/150
warn*	Change AND to w/150
peak*	Change AND to w/150
validat*	Change AND to w/150
alert*	Change AND to w/500
puri*	Change AND to w/200
problem*	Change AND to w/200
detect*	Change AND to w/200
residu*	Change to "residual", and change AND to w/200
assessment*	Change AND to w/200
recover*	Change AND to w/250
yield*	Change AND to w/250

(CFR or eCFR or code of federal regulations or USC or United States Code or Title 21)	Change AND to w/500, and remove (OR <regulatory modifiers>)
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<b>Modifier Search Term</b>	<b>Agreed Modifier Search Term Modifications for Princeton Custodians</b>
HCT	Move this modifier to the Solvents list
HCTZ	Move this modifier to the Solvents list
amlodipine*	Move this modifier to the Solvents list
acid*	Move this modifier to the Manufacturing list
Agency	Remove term
inspect*	Change to (inspection or inspections or inspector or inspectors)
regulat*	Change to (regulatory or regulator or regulators)
blood	Remove term
All Manufacturing modifiers	Limit all Manufacturing modifiers with the <other drug names> list the same way the Solvent Modifiers are limited: (<Manufacturing modifiers> AND NOT <other drug names>).
All Medical Conditions modifiers	Limit all Medical Conditions modifiers with the <other drug names> list the same way the Solvent Modifiers are limited: (<Medical Conditions modifiers> AND NOT <other drug names>).