

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

---

IN RE: BENECA (OLMESARTAN)  
PRODUCTS LIABILITY LITIGATION

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

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

**ORDER**

---

**THESE MATTERS** having come before the Court during the Initial Conference held on Wednesday, April 19, 2015;

**IT IS HEREBY ORDERED** that the next status conference will take place on **Wednesday, May 20, 2015, at 2:00 P.M.**, in Courtroom 4D of the Mitchell H. Cohen United States Courthouse, 1 John F. Gerry Plaza, Camden, N.J. 08101.

**IT IS HEREBY FURTHER ORDERED** that monthly status conferences will take place on the last Wednesday of every month at **2:00 P.M.**, beginning on **Wednesday, June 24, 2015**, in Courtroom 4D of the Mitchell H. Cohen United States Courthouse, 1 John F. Gerry Plaza, Camden, N.J. 08101, unless the parties are otherwise notified by the Court.

**IT IS HEREBY FURTHER ORDERED** that Attorney Richard M. Golomb of Golomb & Honik, P.C., is appointed as Liaison Counsel for Plaintiffs, and Attorney Michael C. Zogby of Drinker Biddle & Reath, LLP, is appointed as Liaison Counsel for Defendants.

**IT IS HEREBY FURTHER ORDERED** that Plaintiffs shall submit their proposal for the attorneys who will serve as members of Plaintiffs' Steering Committee and/or Executive Committee within seven (7) days of the date of this Order, and that the Court shall accept

applications and/or objections from other attorneys with regard to Plaintiffs' proposed Committees for up to fourteen (14) days from the date that Plaintiffs submit their proposal.

**IT IS HEREBY FURTHER ORDERED** that Plaintiffs have thirty (30) days from the date of this Order to file a Master Complaint and corresponding Short Form Complaints for each Plaintiff.

**IT IS HEREBY FURTHER ORDERED** that the filing of all answers is **STAYED** until Plaintiffs submit the Master Complaint and corresponding Short Form Complaints.

**IT IS HEREBY FURTHER ORDERED** that Defendants shall create a corresponding Master Answer to Plaintiffs' Master Complaint, as well as corresponding Short Form Answers, to be filed in accordance with the Federal Rules of Civil Procedure.

**IT IS HEREBY FURTHER ORDERED** that before the next status conference on May 20, 2015, appointed counsel for each side shall meet and confer regarding the following:

- a. A proposed Direct File Order;
- b. The acceptance of service of Complaints on behalf of Defendants, including foreign Defendants;
- c. A proposed Preliminary Information Request and/or Plaintiff Fact Sheet to be filled out by Plaintiffs upon engaging in litigation with Defendants in this MDL matter, as well as any other proposed written discovery, including any agreed-upon records authorizations;
- d. An agreement that all discovery, including depositions, from the related New Jersey cases can be used in this MDL;
- e. A proposed Discovery Confidentiality Order to govern discovery and document production;

- f. A proposed Electronically Stored Information protocol, including agreed-upon search terms and custodians;
- g. The need for and mechanics of a document repository;
- h. A tolling agreement for all unfiled cases;
- i. Whether a “tutorial” is needed or necessary in this MDL; and
- j. Proposed information to be included on a website managed by this Court concerning the instant MDL litigation.

**IT IS HEREBY FURTHER ORDERED** that by **May 18, 2015**, the parties shall serve a joint letter with a proposed agenda for the May 20, 2015 conference with the positions of the parties on the issues in dispute.

**IT IS HEREBY FURTHER ORDERED** that by **May 18, 2015**, Plaintiffs shall submit to the Court a proposed Common Benefit Order establishing the procedure Plaintiffs’ counsel shall use for maintaining time and expense records.

**IT IS HEREBY FURTHER ORDERED** that the Motion to Transfer Venue in the matter of Hogan, et al. v. Daiichi Sankyo, Inc., et al., No. 15-cv-2720 (Doc. No. 11), is **DENIED WITHOUT PREJUDICE**.

**IT IS HEREBY FURTHER ORDERED** that the Motion to Stay and the Motion for a Protective Order in the matter of Van Dyke, et al. v. Daiichi Sankyo, Inc., et al., No. 15-cv-2487, (Doc. Nos. 42, 44) are **DISMISSED AS MOOT**.

Dated: 4/30/2015

s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge