

NOT FOR PUBLICATION

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

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IN RE: BENICAR (OLMESARTAN)	:	Master Docket No. 15-2606 (RBK/JS)
PRODUCTS LIABILITY LITIGATION	:	
	:	
	:	
	:	<b>CASE MANAGEMENT ORDER NO. 9</b>
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**THESE MATTERS** having come before the Court during the case status conference held on Wednesday, September 2, 2015;

**IT IS HEREBY ORDERED** that the Defendants shall provide to Plaintiffs and to the Court within seven (7) days of this Order a list of the names and addresses of registered agents of each Defendant upon whom the Plaintiffs may accomplish service of process.

**IT IS HEREBY FURTHER ORDERED** that an in-person conference will be held in Courtroom 3C on **Thursday, September 24, 2015 at 9:30 A.M.** before Magistrate Judge Joel Schneider to address the ESI disputes regarding search term, record custodian, and “hit list” disputes the parties raised.

**IT IS HEREBY FURTHER ORDERED** that an in-person conference will be held in Courtroom 3C on **Tuesday, September 29, 2015 at 3:00 P.M.** before Magistrate Judge Joel Schneider to address the ESI “application,” “server,” and “systems” disputes the parties raised.

**IT IS HEREBY FURTHER ORDERED** that to the extent defendants object to producing Forest’s recipient list for its litigation hold letter, it shall serve a supporting letter brief by **Wednesday, September 9, 2014**. No response need be filed.

**IT IS HEREBY FURTHER ORDERED** that Plaintiffs and Defendants shall meet and confer regarding Bellwether trials by the monthly status conference on **Wednesday, September 30, 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 oral argument on plaintiffs' Motion to Compel Discovery [Doc. No. 107] will take place in Courtroom 3C on **Wednesday, September 30, 2015 at 10:00 A.M.**

**IT IS HEREBY FURTHER ORDERED** that the monthly status conference for November shall be moved to **Wednesday, November 18, 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 the monthly status conference for December shall be moved to **Wednesday, December 16, 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 David B. Rheingold shall be appointed as a member of the Benicar Plaintiffs' Steering Committee in place of Paul D. Rheingold.

**IT IS HEREBY FURTHER ORDERED** that Plaintiffs' proposed Case Management Order shall be entered as to the Defendants' Fact Sheet. *See* Letter from Adam M. Slater on August 14, 2015, Ex. B (Doc. No. 97).

**IT IS HEREBY FURTHER ORDERED** that Plaintiffs' proposed form shall be the final version of Defendants' Fact Sheet, *see id.*, Ex. A, with the following three changes to page 3: "Defendants" shall be changed to "each served Defendant"; "demonstrating product use" shall be changed to "demonstrating use of an olmesartan product (Benicar®, Benicar HCT®, Azor®, or Tribenzor®)"; and "alleged injury" shall be changed to "that he or she sustained 'serious

gastrointestinal injury, including sprue-like enteropathy, lymphocytic colitis, microscopic colitis, and collagenous colitis.”

Dated: 09/08/2015

s/ Robert B. Kugler

ROBERT B. KUGLER

United States District Judge