UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION	**2:17-MD-2789 (CCC)(MF) (MDL 2789) and all member and related cases**
This Document Relates to: ALL ACTIONS	**Judge Claire C. Cecchi**

CASE MANAGEMENT ORDER NO. 17
(Production Schedule for AstraZeneca)

Plaintiffs' Steering Committee and the AstraZeneca Defendants (hereafter "AstraZeneca") having met and conferred regarding AstraZeneca's production schedule have agreed to the following ORDER:

I. Custodial File Production

A. The parties have agreed that there shall be a presumptive limit ("soft cap") of 140 Custodial File productions to be made by AstraZeneca for the general liability aspect of this litigation. Each Custodial File[1] shall be produced substantially complete[2] rather than piecemeal rolling productions, outside of supplementation or updates. AstraZeneca will provide the PSC with notice that a Custodial File is substantially complete, as defined herein, with each Custodial File production. These files shall be produced on the following schedule:

B. **2018 Production Schedule**: AstraZeneca shall complete the production of 65 Custodial Files on or before December 12, 2018 and in the following manner:

1. To date, the parties have identified 60 custodians for AstraZeneca's production. The PSC will identify an additional 5 custodians by June 25, 2018.

[1] As defined in the ESI Order.

[2] The term "substantially complete" means the completion of the production of documents identified and collected for a particular custodian after a reasonable search of available Custodial File sources with the exception of: (1) documents that may be produced together with a privilege log after additional privilege review or (2) documents requiring substantial work in connection with their production (including, for example, complex foreign language documents requiring redaction or privilege review, or large Excel files requiring extensive redactions). Each category of documents in (2) that is not produced with the Custodial File will be specifically identified by AstraZeneca at the time of the Custodial File production along with an estimated date for the production of the identified categories.

2. AstraZeneca shall substantially complete the production of its first 10 Custodial Files on or before July 31, 2018 pursuant to CMO No. 12.

3. AstraZeneca shall substantially complete its production of the next 15 custodians on or before September 26, 2018.

4. AstraZeneca shall substantially complete its production of the next 15 custodians on or before October 24, 2018.

5. AstraZeneca shall substantially complete its production of the next wave of 13 custodians on or before November 20, 2018.

6. AstraZeneca shall substantially complete its production of the first 65 custodians on or before December 12, 2018. The December 12, 2018 production shall include no more than 12 custodians.

7. The PSC shall be permitted to prioritize the sequence of the November 2018 and December 2018 productions.

8. The parties shall meet and confer surrounding the sequence of the September and October production and attempt to work out the sequence of these Custodial File productions.

C. **2019 Production Schedule**: AstraZeneca shall substantially complete the production of the next 55 Custodial Files on or before May 10, 2019 and in the following manner:

1. AstraZeneca shall produce 10-13 Custodial Files by January 18, 2019. The PSC shall identify these 10-13 custodians by July 12, 2018.

2. AstraZeneca shall produce 10-12 Custodial Files by February 14, 2019. The PSC shall identify these 10-12 custodians by August 10, 2018.

3. AstraZeneca shall produce 10-12 Custodial Files by March 15, 2019. The PSC shall identify these custodians by October 12, 2018.

4. AstraZeneca shall produce 10-13 Custodial Files by April 15, 2019. The PSC shall identify these custodians by December 12, 2018.

5. AstraZeneca shall produce 7-10 Custodial Files by May 10, 2019. The PSC shall identify these custodians by January 5, 2019.

Additional Custodial Files: In addition to the above 120 Custodial File productions, the PSC may request up to an additional 20 Custodial Files in writing to AZ's counsel or on the record during a deposition. No more than 5 additional Custodial Files can be requested in any 30-day period absent agreement of the parties or leave of the Court. The parties shall meet and confer regarding the timing for the production schedule for the additional Custodial Files at a future date.

II. Depositions of AstraZeneca Corporate Witnesses

A. The PSC is entitled to up to 55 depositions of AstraZeneca corporate witnesses. This number does not include any AstraZeneca 30(b)(6) depositions that have been or still may be taken.

III. Meet and Confer on Open Production Issues

A. The parties shall continue to meet and confer in good faith to negotiate additional production issues, including: (i) the deadlines by which various types of non-custodial productions shall be completed; (ii) a process for notification of the completion of production of non-custodial documents; (iii) a process to provide for periodic updates of select custodial and non-custodial sources throughout the litigation. If AstraZeneca and the PSC are unable to agree, they shall submit letters setting forth their respective positions on the issues identified in Section III.A., in advance of the July status conference or at another schedule agreed to by AstraZeneca and the PSC.

SO ORDERED:

Dated: Newark, New Jersey
June 22, 2018

CLAIRE C. CECCHI
United States District Judge