

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

IN RE VALSARTAN, : MDL No. 19-2875(RBK/KW)
LOSARTAN, AND IRBESARTAN : :
PRODUCTS LIABILITY : :
LITIGATION : :

This Order Relates to all Cases

SPECIAL MASTER ORDER NO. 23

NOW, this 9th day of June, 2021, in accordance with the rulings made on the record during the June 3, 2021 case management conference and for the reasons set forth during the conference,¹ **IT IS HEREBY ORDERED AS FOLLOWS:**

1. The ZHP Parties' Motion to Strike Plaintiffs' Motion for Sanctions for Failure to Comply with Fed. R. Civ. P. 37(a)(1) and 37(d)(1)(B) (Doc. 1283) is **DENIED**. (*See* Doc. 1299 at 57-58.)
2. The ZHP Parties' Motion to Partially Strike Reply Brief in Support of Plaintiffs' Motion to Compel Production of Documents withheld as Chinese State Secrets (Doc. 1284) is **DENIED**. The ZHP Parties'

¹ The transcript of the conference can be found at Doc. 1299 of the docket in this case. References to specific pages of the transcript of the conference containing the pertinent discussions and rulings will be provided with respect to the specific orders set forth above.

alternative request for leave to file a sur-reply brief on Plaintiffs' Motion to Compel Production of Documents Withheld as Chinese State Secrets is **GRANTED**, and the brief accompanying the ZHP Parties' Motion to Strike (Doc. 1284) will be deemed the ZHP Parties' sur-reply. (*See* Doc. 1299 at 41-42.)

3. Plaintiffs' proposed request that the Pharmacy Defendants produce "[f]or VCDs, documents reflecting your inventory forecasts, demand forecast, days on hand ("DOH") forecasts, or similar documents ordinarily transmitted to a supplier to show approximately how much inventory of VCDs you had on hand, or the quantity of VCDs expected to be ordered based on demand" (Doc. 1290 at 19) is **DISALLOWED**. (*See* Doc. 1299 at 71-82.)
4. The Manufacturer Defendants' First Set of Global Interrogatories and Requests for Production (Doc. 1287-10) is **DISALLOWED**. (*See* Doc. 1299 at 90-94.)

s/ Thomas I. Vanaskie
Hon. Thomas I. Vanaskie (Ret.)
Special Master