

IN THE COURT OF COMMON PLEAS
PHILADELPHIA COUNTY, PENNSYLVANIA

IN RE: AVANDIA LITIGATION

February Term, 2008

No. 2733

In Re: Avandia Litigation-CMOIS

DOCKETED
COMPLEX LIT CENTER

FEB 23 2010

J. STEWART



08020273300024

CASE MANAGEMENT ORDER 8
(Basic Medical Records Requirement)

AND NOW, this 23rd day of February 2010, pursuant to the joint submission of

the parties, and after due consideration by this Court, it is hereby **ORDERED** as follows:

REQUIREMENT OF ALL MTP PLAINTIFFS TO PRODUCE BASIC MEDICAL RECORDS

1. Plaintiffs' counsel in all cases pending in this MTP Docket shall: (1) produce "basic medical records" (defined below) for their plaintiff; or (2) demonstrate that Plaintiff's counsel has ordered "basic medical records" (by providing a copy of an order form by a medical records vendor, or a copy of the actual request made by said counsel) and confirm that the records will be provided to counsel for Defendant GlaxoSmithKline LLC, formerly known as SmithKline Beecham Corporation ("GSK")¹, upon receipt.

2. For cases already pending in this MTP Docket, Plaintiffs' counsel shall comply with this obligation within forty-five (45) days of the entry of this Case Management Order. For all cases subsequently filed directly in or transferred to this MTP Docket, Plaintiffs' counsel shall comply with this obligation with within sixty (60) days thereof.

3. "Basic medical records" include:

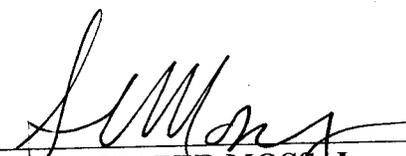
¹ On October 27, 2009 SmithKline Beecham Corporation redomiciled from Pennsylvania to Delaware, converted into a limited liability company and changed its name to GlaxoSmithKline LLC.

a. Proof of Avandia use in the form of pharmacy records, prescriber's medical records or, in the absence of either, an affidavit from the Plaintiff explaining such use, and a statement of counsel describing the efforts made to obtain usage records and the reason(s) why such records are no longer available; and

b. Medical records of the prescriber from the present back to one year before the date of injury claimed by the Avandia User; and

c. A discharge summary or other medical record establishing and describing the claimed injury.

4. Failure by any Plaintiff to comply with this paragraph shall constitute a "Threshold Deficiency" and, absent good cause shown, subject the case to potential dismissal under Case Management Order 2.


SANDRA MAZER MOSS, J.