

IN RE: GADOLINIUM BASED
CONTRAST AGENTS PRODUCTS
LIABILITY LITIGATION

: COURT OF COMMON PLEAS
:
: PHILADELPHIA COUNTY, PA.
:
: JULY TERM 2009
:
: NO. 1505

CASE MANAGEMENT ORDER NO. 7

In Re: Gadolinium Based Contrast Agents (Gbc-ORDER)

(2009 Case Schedule)



09070150500107

I. SCHEDULE FOR CASES FILED IN 2009

Group 5:

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| <i>Shirley Weaver, Est. Richard Weaver v. GE et al.</i> | <i>No. 090403594</i> |
| <i>William and Karen Walker v. GE et al.</i> | <i>No. 090302041</i> |
| <i>Bonnie Jean McDougald v. GE et al.</i> | <i>No. 090305155</i> |

Discovery deadline: 11/5/10

Plaintiffs' expert reports and fact witness disclosures: 12/3/10

Defendants' expert reports and fact witness disclosures: 1/7/11

Depositions of experts: 1/21-2/28/11¹

Dispositive/*Frye*/pretrial motions due: 3/11/11

Cases trial ready: 5/5/11

Group 6:

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| <i>Carol and Richard Augustinowicz v. GE et al.</i> | <i>No. 090501257</i> |
| <i>Marilyn M. and Tracy L. Reynolds v. GE et al.</i> | <i>No. 090501977</i> |
| <i>Mary Wood v. GE et al.</i> | <i>No. 090503391</i> |

Discovery deadline: 1/10/11

Plaintiffs' expert reports and fact witness disclosures: 2/7/11

¹ Experts in Group 5, Group 6 and Group 7 shall be deposed at the Court's discretion. The parties hereby agree that to the extent possible, plaintiffs' experts shall be completed prior to commencing depositions of defendants' experts.

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COMPLEX LITIGATION CENTER

AUG 6 - 2010

L. RYANT-DAVIS

Defendants' expert reports and fact witness disclosures: 3/7/11

Depositions of experts: 3/21/11-4/27/11

Dispositive/*Frye*/pretrial motions due: 5/13/11

Cases trial ready: 7/12/11

Group 7:

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| <i>German Roza, Est. Minerva Roza v. GE et al.</i> | No. 090701998 |
| <i>Sedorothy Hand v. GE et al.</i> | No. 090702360 |
| <i>Timothy Coy v. GE et al.</i> | No. 090803400 |
| <i>Irish and Anthony Whitted v. GE et al.</i> | No. 090803382 |

Discovery deadline: 4/4/11

Plaintiffs' expert reports and fact witness disclosures: 5/4/11

Defendants' expert reports and fact witness disclosures : 6/3/11

Depositions of experts: 6/17/11-7/22/11

Dispositive/*Frye*/pretrial motions due: 8/5/11

Cases trial ready: 10/3/11

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Cases shall be tried individually and in consecutive order unless the Court orders otherwise.

II. 2010 CASES

The parties shall meet and confer to produce a schedule for cases filed in 2010.

III. CASE SPECIFIC PRE-TRIAL DEADLINES

Plaintiff to serve page/line designations of deposition testimony 45 days before the scheduled trial date.²

Defendants to serve page/line counter-designations of deposition testimony, objections to plaintiff's deposition designations and affirmative page/line designations of deposition testimony 30 days before the scheduled trial date.

Plaintiff to serve page/line counter designations of deposition testimony and objections to defendants' deposition designations 15 days before the scheduled trial date. Defendants to serve objections to plaintiff's counter-designations 3 days before the scheduled trial date.

Plaintiff to serve his or her exhibit list, including a description of each document or other exhibit, document production number (if applicable) and an electronic copy of the exhibits (except demonstrative exhibits) 45 days before the scheduled trial date.

Defendants to serve objections to plaintiff's exhibits, and serve their exhibit list, including a description of each document or other exhibit, document production number (if applicable) and an electronic copy of the exhibits (except demonstrative exhibits) 30 days before the scheduled trial date. Plaintiff to serve objections to defendants' exhibits 15 days before the scheduled trial date.

Exhibits not included on a party's exhibit list (except exhibits used for impeachment) shall not be received into evidence absent a showing of good cause as to why the exhibit was not included on the exhibit list.

Prior to the close of discovery, each party may be asked to identify fact witnesses that the party intends to have testify at trial. If a fact witness not previously identified at this time is later

² For any deposition taken within 45 days of the trial date, deposition designations shall be served no later than 14 days after the deposition, with objections and counter-designations due seven days thereafter.

identified on the party's disclosures, the other party may depose that witness after the close of discovery, upon application to the Court.

Witnesses not included on a party's witness list shall not be called at trial absent a showing of good cause as to why the witness was not included on the witness list.

Motions in limine to be filed and served 60 days before the scheduled trial date.

Responses to motions in limine to be filed and served 14 days after service of the motions in limine.

Hearings on motions in limine and other pretrial motions to be determined by the Court.

Jury instructions agreed upon by the parties to be submitted 30 days before the scheduled trial date. All instructions not agreed upon by the parties shall be separately submitted by the plaintiffs and defendants 30 days before trial.

Final pretrial conference to be determined by the Court.

BY THE COURT:


8/5/10
J.