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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

11 IN RE: INCRETIN MIMETICS) MDL Case No.13md2452 AJB (MDD)
12 PRODUCTS LIABILITY)
13 LITIGATION,) As to all related and member cases
14) ORDER APPOINTING A
PLAINTIFFS' STEERING
COMMITTEE

15 Presently before the Court is the designation of Plaintiffs' Co-Lead Counsel,
16 Co-Liaison Counsel, Executive Committee, and Steering Committee. Defendants have
17 no objection. Following the October 17, 2013 Status Conference, the Court enters the
18 following Order:

19 1. To act on behalf of Plaintiffs, the Court hereby appoints:

20 **PLAINTIFFS' CO-LEAD COUNSEL**

21 Ryan L. Thompson
22 WATTS GUERRA LLP
23 5250 Prue Rd., Ste. 525
24 San Antonio, Texas 78240
Phone: (210) 448-0500
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25 Hunter J. Shkolnik
26 NAPOLI, BERN, RIPKA & SHKOLNIK LLP
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5 **PLAINTIFFS' EXECUTIVE COMMITTEE**

6 John M. Restaino
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7 283 Columbine Street, Suite 169
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8 Phone: (720) 924-2006
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10 Neil D. Overholtz
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14 Nicholas J. Drakulich
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15 2727 Camino del Rio South, Suite 322
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16 Phone: (858) 755-5887
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18 Michael K. Johnson
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22 Plaintiffs' Co-Lead Counsel shall be a member of and direct the work of the
23 Plaintiffs' Steering Committee. In this regard, Plaintiffs' Co-Lead Counsel shall be
24 responsible for coordinating the activities of plaintiffs during pretrial proceedings and in
25 consultation and with the assistance of Plaintiff's Executive Committee, shall:

- 26 A. Determine and present (after consultation with other members of Plaintiffs'
27 Steering Committee), by briefs, oral argument, or such other fashion as may
28 be appropriate, personally or by a designee, to the Court and opposing

parties, the position of the plaintiffs on all matters arising during pretrial proceedings;

- B. Coordinate the initiation and conduct of discovery on behalf of plaintiffs consistent with the requirements of the Federal Rules of Civil Procedure relating to discovery or any other subsequent Order of this Court;
- C. Conduct settlement negotiations on behalf of plaintiffs, but not enter binding agreements except to the extent expressly authorized;
- D. Delegate specific tasks to other counsel in a manner to ensure that pretrial preparation for the plaintiffs is conducted effectively, efficiently and economically;
- E. Enter into stipulations with opposing counsel as necessary for the conduct of the litigation;
- F. Prepare and distribute to other Plaintiff's counsel periodic status reports;
- G. Maintain adequate time and disbursement records covering services of designated counsel and establish guidelines for approval by the Court as to the keeping of time records and expenses;
- H. Monitor the activities of co-counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided;
- I. Perform such other duties as may be incidental to proper coordination of plaintiffs' pretrial activities or authorized by further Order of the Court; and
- J. Submit, if appropriate, additional committees and counsel for designation by the Court.

2. To act on behalf of plaintiffs, the Court hereby designates the following as:

CO-LIAISON COUNSEL

Michael S. Berg
 Law Offices of Michael S. Berg
 401 West A Street, Suite 2600
 San Diego, CA 92101
 Phone: (619) 239.2186
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1 Gayle M. Blatt
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2 110 Laurel Street
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5 Co- Plaintiffs' Liaison Counsel shall:

- 6 A. Maintain and distribute to all other plaintiffs' counsel and to defendants'
7 counsel an up-to-date service list;
- 8 B. On behalf of all counsel for all plaintiffs, receive from defendants, the Court,
9 and third parties, and as appropriate, distribute to all other plaintiffs' counsel
10 the following: written and electronic communications from the Court,
11 defendants, and third parties; pleadings; Orders from the Court; and discov-
12 ery and documents from defendants and third parties; and
- 13 C. Maintain and make available to all other plaintiffs' counsel at reasonable
14 hours a complete file of all documents served by or upon each party, and
15 establish and maintain an electronically accessible document depository.

16 3. To act on behalf of plaintiffs, the Court hereby designates the following as the
17 Plaintiffs' Steering Committee:

18 **PLAINTIFFS' STEERING COMMITTEE**

19
20 Ramon R. Lopez
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22 Phone: (949) 737-1501
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25 James R. "Tripp" Segars, III
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28 4. To act on behalf of Plaintiffs, the Court hereby designates the following as:

STATE AND FEDERAL COURT LIAISON

19 Marc J. Bern
20 NAPOLI, BERN, RIPKA & SHKOLNIK LLP
21 350 Fifth Avenue
22 New York, New York 10018
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26 IT IS SO ORDERED.

27 DATED: October 17, 2013

28 
Hon. Anthony J. Battaglia
U.S. District Judge