

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

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| IN RE: PRADAXA (DABIGATRAN) | 3:12-MD-02385-DRH-SCW |
| ETEXILATE) PRODUCTS LIABILITY) | |
| LITIGATION) | MDL No. 2385 |
|) | |
| _____) | |

This Document Related to:

ALL CASES

CASE MANAGEMENT ORDER NUMBER 48
Selecting Cases for Consideration as Early Trial Cases¹

In furtherance of Amended Case Management Order No. 28, and Minute Order of September 26, 2013 (Docket Entry 281), the Court hereby adopts the following process by which representative cases shall be submitted to the Court for consideration as early trial cases.

The parties shall each designate up to three cases for inclusion as an early trial case. Said designations shall be made on December 16, 2013 at 5:00 p.m. CST in pleading format, limited to two double-spaced pages per designated case, and shall identify the name of the case, the plaintiff law firm, the specific MDL Civil Action number, as well as any and all facts demonstrating why the designating party believes that case is representative. Further, the parties may also submit an introduction section concerning the issue of representativeness not to exceed two pages in length.

¹ To the extent that deadlines in this CMO conflict with deadlines provided in previous case management orders, the deadlines provided for herein shall control.

Thereafter, on or before December 23, 2013, the parties shall respond to whether they believe the opposing picks are representative, or not. This submission shall be due by 5:00 p.m. CST in pleading format and shall be limited to two double-spaced pages per designated case and shall set-forth the reasons why said case(s) might not be representative.

Thereafter, on or before January 23, 2014, the Court shall decide the first four cases for trial, and shall also specify the sequence of said cases for trial, consistent with the parameters of Case Management Orders 6, 11, and Amended 28. Nothing herein shall modify or in any way alter the trial dates of the first four MDL trial cases which remain: August 11, 2014; November 3, 2014; January 5, 2015; and February 16, 2014, as set forth in Case Management Order Nos. 6, 11, and Amended 28.

Expert Discovery, Summary Judgment, and *Daubert* motions shall be governed by the schedule as set forth in Amended Case Management Order 37 (as submitted jointly by the parties on October 17, 2013).

IT IS SO ORDERED.

 Digitally signed by
David R. Herndon
Date: 2013.11.04
12:29:23 -06'00'

**Chief Judge
United States District Court**

Date: November 4, 2013