

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: EFFEXOR (VENLAFAXINE
HYDROCHLORIDE) PRODUCTS
LIABILITY LITIGATION** : **MDL NO. 2458
13-MD-2458**
:

THIS DOCUMENT RELATES TO : **HON. CYNTHIA M. RUFÉ**
ALL ACTIONS

**PLAINTIFFS' RESPONSE TO PFIZER INC.'S
MOTION TO QUASH DEPOSITION NOTICE AND SUBPEONA FOR 30(b)(6)
WITNESS JAY BOWSHER, A PFIZER VICE PRESIDENT**

Plaintiffs, through undersigned counsel, submit this opposition to Defendant Pfizer, Inc.'s ("Pfizer") Motion to Quash Deposition Notice and Subpoena for 30(b)(6) Witness Jay Bowsher, a Pfizer Vice President. After multiple attempts to obtain an agreed-upon date for the 30(b)(6) deposition at issue, Plaintiffs properly noticed and served, on April 4, 2014, a Renewed and Amended Notice to Take Videotaped Oral Deposition setting the 30(b)(6) witness deposition for May 6, 2014. Despite providing proper notice and service of the deposition, Pfizer has refused to produce a witness on May 6, 2014, or in fact before any date within the next "several months," and has filed a Motion to Quash. For the reasons set forth herein, Pfizer's Motion should be denied and the deposition should be set within the next 15 days.

As a threshold matter, it is undisputed that the PSC properly served the deposition notice upon Pfizer's counsel, and that Pfizer refuses to produce a witness for the deposition that was set to take place in Philadelphia, Pennsylvania today, May 6, 2014. Although filing a Motion to Quash, or for a protective order, under Rule 26(c) does not dispense of a witness's obligation to appear for a deposition, in the interest of conserving resources, Plaintiffs have agreed to postpone the deposition until the Court rules on the pending motion.

Prior to the formation of this MDL, two of the Plaintiffs' counsel who are now on the PSC in this case worked with counsel for Pfizer to agree on 30(b)(6) deposition dates for multiple topics. The last deposition that the parties agreed on was to cover the topics of sales and marketing of Effexor. Pfizer agreed to produce a witness of its choosing (Mr. Jay Bowsher) on April 30, 2013, in Philadelphia. (*See* e-mails between counsel and Notice to Take Videotaped Oral Deposition of Jay Bowsher, attached hereto as Exhibit A).

After the formation of this MDL, on December 23, 2013, PSC counsel in this MDL served counsel for Pfizer with a Notice to Take Videotaped Oral Deposition, a 30(b)(6) notice, listing four (4) topics to be covered. Among the topics requested were the areas of sales and marketing of Effexor and Effexor XR. (*See* Notice to Take Videotaped Oral Deposition, attached hereto as B). In the cover e-mail to counsel for Pfizer, PSC counsel indicated that the PSC wanted to set the deposition dates within the first part of February and requested that Pfizer's counsel provide potential dates and names of witnesses. (*See* e-mail dated December 23, 2013, attached hereto as Exhibit C). This e-mail was completely ignored by Pfizer's counsel. Having received no dates or the identity of any witnesses, on February 14, 2014, PSC counsel again requested dates for the depositions. (*See* e-mail dated February 14, 2014, attached hereto as Exhibit D). On March 15, 2014, having still received no dates or witness names, two of the PSC counsel requested dates yet again. (*See* e-mails dated March 15, 2014, attached hereto as Exhibit E).

After multiple attempts to obtain dates from Pfizer, PSC counsel finally made a decision to again notice a 30(b)(6) deposition on the topics of Effexor sales and marketing for a date and time certain. PSC counsel noticed the deposition for May 6, 2014, *but provided Pfizer with the*

*opportunity to choose any date before May 20, 2014*¹, to produce a witness. (See letter dated April 4, 2014, and attached Renewed and Amended Notice to Take Videotaped Oral Deposition, attached hereto as Exhibit F). Despite this flexibility, Pfizer failed to choose a date and has refused to produce a witness within the broad range of time requested. Instead, Pfizer's counsel has indicated that a deposition might be possible within the next "several months," depending on when the underlying documents can be reviewed and the witness prepared – the same witness that Pfizer had offered over a year ago and before the formation of this MDL. (See emails attached hereto as Exhibit G).² Given this pattern of delay, the PSC refused to simply wait it out several more months, particularly since the sales and marketing documents had been requested by the PSC since 2013, and because Pfizer has the option of proffering any knowledgeable witness on the 30(b)(6) topics.

As the record related to this issue reflects, counsel for the PSC has been very patient with Pfizer's counsel. PSC counsel has been requesting a 30(b)(6) witness on the topic of Effexor sales and marketing since December 2013. Now, over four (4) months later, Pfizer has still not produced a witness, and claims it needs "several more months" to do so. This is unacceptable. *No depositions have yet been taken in this MDL.* Pfizer's stonewalling needs to stop.

Because Plaintiffs have properly noticed and served the Amended Notice to Take Videotaped Oral Deposition in this case, Plaintiffs respectfully request that this Court deny in part Pfizer's Motion to Quash and order that a witness on all properly noticed 30(b)(6) topics be produced by May 20, 2014.

¹ In its motion and supporting brief, Pfizer incorrectly states Plaintiffs only gave Pfizer two dates for the depo, May 6 and May 20. Plaintiffs in fact gave Pfizer the option of any day before May 20.

² Pfizer cites in their motion and brief the right to have time to prepare the witness, but presumably documents should have been available for the witnesses' review when he was originally offered for deposition on April 30, 2013, over a year ago.

Dated: May 6, 2014

RESPECTFULLY SUBMITTED:

/s/Bryan F. Aylstock

Bryan Frederick Aylstock

Signature Validation BFA8716

Florida Bar No.: 78263

R. Jason Richards

AYLSTOCK WITKIN KREIS & OVERHOLTZ, PLLC

17 East Main Street, Suite 200

Pensacola, Florida 32502

Telephone: 850.202.1010

Facsimile: 850.916.7449

baylstock@awkolaw.com

CHRISTOPHER L. COFFIN

PENDLEY, BAUDIN & COFFIN, LLP

1515 Poydras Street, Suite 1400

New Orleans, Louisiana 70112

Tel: (504) 355-0086

Fax: (504) 523-0699

Joe Zonies

REILLY POZNER LLP

1900 Sixteenth Street, Suite 1700

Denver, CO 80202

(303) 893-6100

On Behalf of Plaintiffs and the Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 6th day of May, 2014 filed the foregoing via the court's CM/ECF system, which will serve all counsel of record electronically.

/s/ Bryan F. Aylstock
Bryan F. Aylstock, Esq.

EXHIBIT A

Chris Coffin

From: Chris Coffin
Sent: Friday, March 01, 2013 2:06 PM
To: 'Scott Nabers'; 'Stevens, Catherine B'; 'Cheffo, Mark S'
Cc: Rebecca King; Christina Nancarrow; Jessica Perez
Subject: RE: Follow up to Phone Conference of Feb. 21.

Scott and Catherine:

April 30 is good for me as well. I can talk next Thursday or Friday. Wednesday is not good for me.

Chris

Christopher L. Coffin, R.N., B.S.N., J.D.
Pendley, Baudin & Coffin, L.L.P.
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

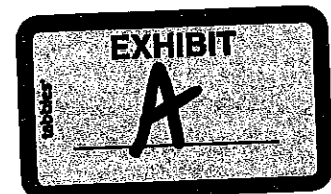
Main office of Pendley, Baudin & Coffin, L.L.P.
P.O. Drawer 71
24110 Eden Street
Plaquemine, Louisiana 70765
Tel: (225) 687-6396
Fax: (225) 687-6398
www.pbclawfirm.com

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

From: Scott Nabers [mailto:SNabers@blizzardlaw.com]
Sent: Friday, March 01, 2013 1:27 PM
To: 'Stevens, Catherine B'; 'Cheffo, Mark S'; Chris Coffin
Cc: Rebecca King; Christina Nancarrow
Subject: RE: Follow up to Phone Conference of Feb. 21.

Hi Catherine.

I can do April 30th in Philly. Thanks so much for getting back with me on the dates for this VP of Sales at Pfizer. I will work on getting you Plaintiff deposition dates Monday. Are there any dates in April and May that you are not available? I am not sure what you mean by the CCC materials in Kalamazoo. I would you to provide me with an Index of all the documents on Effexor that reside in Kalamazoo and then I can decide if I want to go there and look at them. I have talked with Chris and we want documents for all the requests we have sent. However, we will certainly work with



you on priority. When are you available next week to discuss? Chris what is your schedule next week? I am out Monday and Tuesday, Thanks

From: Stevens, Catherine B [<mailto:Catherine.Stevens@skadden.com>]
Sent: Friday, March 01, 2013 1:11 PM
To: Scott Nabers; Cheffo, Mark S; 'ccoffin@pbclawfirm.com'
Cc: Rebecca King; Christina Nancarrow
Subject: RE: Follow up to Phone Conference of Feb. 21.

Hi Scott.

Jay Bowsher, the witness I discussed with you in our last conversation, is available for a deposition on April 30. Let us know if that date works for you. I believe that Philly is the most convenient location for the witness but will confirm and will get back to you. I will get back to you about the remaining initial 30(b)(6) witnesses in the next week or so.

I'm happy to discuss your discovery requests at your convenience. I believe that you and Chris were going to confer, look at our letters and discovery responses about what we have agreed to produce and were going to get back to me with your thoughts on the priority. It was my understanding from our last call that the CCC materials were at the top of your list, and I've spoken with people at Pfizer and they are working on identifying those boxes in Kalamazoo.

Can you give us dates in April for your plaintiffs' depositions in Effexor and Boyer? Many thanks.

From: Scott Nabers [<mailto:SNabers@blizzardlaw.com>]
Sent: Friday, March 01, 2013 1:52 PM
To: Stevens, Catherine B (NYC); Cheffo, Mark S (NYC); 'ccoffin@pbclawfirm.com'
Cc: Rebecca King; Christina Nancarrow
Subject: Follow up to Phone Conference of Feb. 21.

Hi Catherine. I just wanted to follow up with you regarding the Effexor conference call of Feb. 21. As you will recall, you indicated you would provide us with another 30 (b) 6 deposition in April, (Marketing/Sales). You indicated that you would get back with us in 3 weeks (March 7) with the name of that person, when you could provide the documents responsive to our duces tecum for that deposition and let us know when you believed we would be getting deposition dates for the remainder of the 30 (b) 6 witnesses on our list. As you know, the current Order from the Court had us completing these depositions by the end of this month. We are still willing and able to do that in order to comply with the Court's ruling for which there has been no extensions to date. With that said, we look forward to working with you on these depositions and my plaintiffs are available for deposition as soon as you are ready.

Now with regard to the discovery requests we sent you, we are willing to meet and confer with you at your earliest convenience. I realize there are a lot of requests but Wyeth/Pfizer is a multi-billion dollar corporation and this is not the first time they have collected documents responsive to litigation for Effexor. We are happy to discuss an extension for you to answer these requests but please understand we would like the documents as soon as possible. If you have any questions or concerns please don't hesitate to contact me. Thanks



Scott Nabers

440 Louisiana, Suite 1710
Houston, Texas 77002
Phone: 713-844-3750
Fax: 713-844-3755
E-mail: snabers@blizzardlaw.com
Visit us at: www.blizzardlaw.com

To ensure compliance with Treasury Department regulations, we advise you that, unless otherwise expressly indicated, any federal tax advice contained in this message was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or applicable state or local tax law provisions or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

This email (and any attachments thereto) is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email (and any attachments thereto) is strictly prohibited. If you receive this email in error please immediately notify me at (212) 735-3000 and permanently delete the original email (and any copy of any email) and any printout thereof.

Further information about the firm, a list of the Partners and their professional qualifications will be provided upon request.

=====

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

QUINTIN DECKER, a minor child, by SADIE
DECKER and ANTHONY DECKER,
individually,

Plaintiffs,

v.

WYETH PHARMACEUTICALS, INC.
WOLTERS KLUWER HEALTH, INC.,
WOLTERS KLUWER UNITED STATES INC.)
and PFIZER, INC.

Defendants.

No. 2:12-CV-02052-EL

Honorable Edmund V. Ludwlg

NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION
OF JAY BOWSEER

TO: PFIZER, INC. and its attorneys;

Robert A. Limbacher, Esquire
Brandon L. Goodman, Esquire
GOODELL, DEVRIES, LEECH & DANN, LLP
One Commerce Square
2005 Market Street, Suite 1940
Philadelphia, PA 19103-2793

Mark S. Cheffo, Esquire
Katherine Armstrong, Esquire
Catherine B. Stevens, Esquire
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
Four Times Square
New York, NY 10036

PLEASE TAKE NOTICE that pursuant to Rule 26 and 30(b)(6) of the Federal Rules of Civil Procedure, plaintiffs, by and through their undersigned attorneys, will take the deposition of JAY BOWSEER on April 30, 2013, at 9:00 A.M., at the offices of GOODELL, DEVRIES, LEECH & DANN, LLP, One Commerce Square, 2005 Market Street Suite 1940, Philadelphia, PA 19103-2793 or at another location mutually agreed upon by the parties.

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Pfizer, Inc. shall designate and produce a designated representative or representatives, as may be required, to testify on behalf of Pfizer, Inc. Sales and Marketing. The witness is requested to produce the items listed in Exhibit "A" attached hereto at the time of his deposition.

The deposition will be taken before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure, and will continue from day-to-day, excluding Sundays and court-recognized holidays, until the examination is completed. You are invited to attend. The deposition will also be videotaped.

Dated: April 16, 2013

17

By:

BLIZZARD & NABERS


J. Scott Nabers

Pa. Bar No. 310357

snabers@blizzardlaw.com

Edward Blizzard, TBN 02495000

edblizzard@blizzardlaw.com

Rebecca King

P.A. Bar No. 310895

rkking@blizzardlaw.com

440 Louisiana, Suite 1710

Houston, Texas 77002-1689

713 844-3750 Office

713 844-3755 Fax

Rosemary Pinto, Esq.

Pa. Bar No. 53114

RPinto@feldmanpinto.com

FELDMAN & PINTO

1604 Locus St, FL 2R

Philadelphia, PA 19103

Telephone: 215- 546-4385

Attorneys for Plaintiff

CERTIFICATION OF SERVICE

I hereby certify that on April ¹⁷ 18, 2013, I served the foregoing NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION OF JAY BOWSHER via electronic mail and US mail to the following:

Robert A. Limbacher, Esquire
Brandon L. Goodman, Esquire
GOODELL, DEVRIES, LEECH & DANN, LLP
One Commerce Square
2005 Market Street Suite 1940
Philadelphia, PA 19103-2793
Attorneys for Pfizer, Inc.

Mark S. Cheffo, Esquire
Katherine Armstrong, Esquire
Catherine B. Stevens, Esquire
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
Four Times Square
New York, NY 10036

By:



J. SCOTT NABERS, ESQUIRE
Attorney for Plaintiffs

EXHIBIT A

1. A copy of the current curriculum vitae (CV) and/or resume for the witness.
2. Any documents reviewed by the witness in anticipation of or in preparation for the deposition.
3. Any custodial file(s) the witness maintains related to Effexor and/or Effexor XR.

EXHIBIT B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

-----	:	
IN RE: EFFEXOR (VENLAFAXINE	:	
HYDROCHLORIDE) PRODUCTS	:	MDL NO. 2458
LIABILITY LITIGATION	:	13-MD-2458
	:	
-----	:	HON. CYNTHIA M. RUFÉ

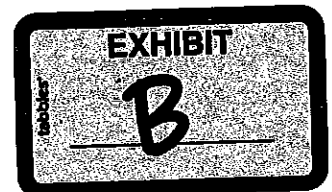
THIS DOCUMENT APPLIES TO:	:
ALL ACTIONS	:
	:
-----	:

NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION

TO: Mark S. Cheffo, Esquire
QUINN EMANUAL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd floor
New York, New York 10010

PLEASE TAKE NOTICE that pursuant to Rule 26 and 30(b)(6) of the Federal Rules of Civil Procedure, plaintiffs, by and through their undersigned attorneys, will take the deposition of Pfizer, Inc. on dates mutually agreeable to the parties, at the offices of Quinn, Emanuel, Urquhart & Sullivan , LLP, 51 Madison Avenue, 22nd floor New York, New York 10010, or at another location mutually agreed upon by the parties. Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Pfizer, Inc. shall designate and produce a designated representative or representatives, as may be required, to testify on behalf of Pfizer, Inc. concerning the topics identified in Exhibit A attached hereto.

The deposition will be taken before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure, and will continue from day-to-day, excluding Sundays and court-recognized holidays, until the examination is completed. You are invited to attend. The deposition will also be videotaped.



Dated: December 23, 2013

RESPECTFULLY SUBMITTED:

/s/ Christopher L. Coffin
CHRISTOPHER L. COFFIN
PENDLEY, BAUDIN & COFFIN, LLP
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

*On Behalf of Plaintiffs and the Plaintiffs' Steering
Committee*

CERTIFICATION OF SERVICE

I hereby certify that on December 23, 2103, I served the foregoing NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION via electronic mail and US mail to the following:

Mark S. Cheffo, Esquire
QUINN EMANUAL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd floor
New York, New York 10010

By: /s/ Christopher L. Coffin
Christopher L. Coffin

*On Behalf of Plaintiffs and the Plaintiffs'
Steering Committee*

EXHIBIT A
Definitions

The following definitions apply to this Notice of Deposition, including those matters set forth in Exhibit A hereto, and are deemed to be incorporated into each subject and request for documents listed below:

1. “Identify” or “identity” with respect to persons, means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment.

2. “Pfizer,” “You,” or “Your” refers to the defendant Pfizer, Inc., Wyeth Pharmaceuticals, Inc. and its predecessor companies and all partners, directors, officers, employees, servants, agents, attorneys, joint ventures, or other representatives, including all corporations and entities affiliated with Pfizer and/or Wyeth. The terms shall also include all predecessor business entities, as well as any predecessor's partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf. The terms shall also include all foreign subsidiaries or foreign parent companies, as well as any foreign subsidiaries' or parent companies' partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf.

3. “Person” means natural person, as well as corporate and/or governmental entity.

4. “Effexor” means the drug Effexor and/or Effexor XR and any predecessor or non-final derivation of the drug that later became Effexor and/or Effexor XR. Also included in the definition of Effexor are any chemical equivalents marketed in foreign countries.

5. “Relating to,” “relate to,” “referring to,” “refer to,” “reflecting,” “reflect,”

“with regard to,” “pertaining to,” “concerning,” or “concern” shall mean evidencing, regarding, concerning, discussing, embodying, describing, summarizing, containing, constituting, showing, mentioning, reflecting, dealing with, relating to, referring to in any way or manner, or in any way logically or factually, connecting with the matter described in that paragraph of these demands, including documents attached to or used in the preparation of or concerning the preparation of the documents.

Deposition Subject Matter

1. History (to the present) of regulatory affairs with respect to Effexor, including the IND, NDA, the package insert (or label), any and all “Dear Doctor/Healthcare Professional” letters, 483 Inspections, warning letters, DDMAC letters, and communications and submissions to the FDA and/or other governmental or regulatory authorities in the United States.

2. Pfizer’s clinical trial program related to Effexor, including the identification of all clinical and preclinical studies, the identification of all senior clinical researchers and study monitors and any third party entities involved in any aspect of such studies. This subject matter includes, but is not limited to: oversight of “Institutional Review Boards” relating to Pfizer’s clinical and preclinical studies, the initiation, approval, sponsorship, and conduct of Pfizer’s clinical and preclinical studies, and the ways which Pfizer has used data from the clinical trials relating to Effexor in the preparation of manuscripts and materials to be disseminated to physicians who request information, the development of articles for peer review and publication, and to support ongoing regulatory activities.

3. How Pfizer has sold and now sells Effexor from the time Effexor was first developed until the present, including:

- a. The organization and composition of Pfizer's Effexor sales force;
 - b. Pfizer's sales force policies and procedures relating to sampling, detailing, contract management, information sharing, and sales analysis for Effexor;
 - c. Pfizer's policies and procedures related to training, oversight, compensation, and evaluation of sales representatives; and
 - d. The development, implementation, and approval of sales and promotional strategies and materials relating to Effexor.
4. How Pfizer has marketed and now markets Effexor including:
- a. The organization and composition of Pfizer's Effexor-related marketing departments;
 - b. All integrated marketing campaigns for Effexor, including marketing plans, communications to consumers or doctors, press releases, detail pieces, promotional literature, copy testing, persuasion testing, marketing testing, focus groups, and tracking studies;
 - c. Marketing materials submitted to the FDA;
 - d. The amount of money spent on past and current marketing campaigns for Effexor; and
 - e. Any advocate programs, speaker's bureaus, product champions, thought or opinion lenders, or similar organizations.

EXHIBIT C

Chris Coffin

From: Chris Coffin
Sent: Monday, December 23, 2013 9:18 PM
To: markcheffo@quinnemanuel.com; Mara Cusker Gonzalez (MaraCuskerGonzalez@quinnemanuel.com)
Cc: baylstock@awkolaw.com; Joe Zonies (External)
Subject: Effexor - 30(b)(6) Notice
Attachments: Pfizer 30(b)(6) 12 23 13.pdf

Mark and Mara:

Attached please find Plaintiffs' first 30(b)(6) notice in the In Re: Effexor Products Liability Litigation. We'd like to get these depositions set within the first part of February. Please provide us with potential dates and the names of the Pfizer representatives you will produce for the depositions.

Thanks, and happy holidays to you.

Chris

Christopher L. Coffin, R.N., B.S.N., J.D.
Pendley, Baudin & Coffin, L.L.P.
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

Main office of Pendley, Baudin & Coffin, L.L.P.
P.O. Drawer 71
24110 Eden Street
Plaquemine, Louisiana 70765
Tel: (225) 687-6396
Fax: (225) 687-6398
www.pbclawfirm.com

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

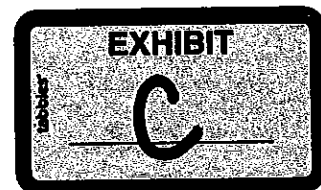


EXHIBIT D

Chris Coffin

From: Chris Coffin
Sent: Friday, February 14, 2014 2:19 PM
To: markcheffo@quinnemanuel.com; Mara Cusker Gonzalez (MaraCuskerGonzalez@quinnemanuel.com)
Cc: baylstock@awkolaw.com; Joe Zonies
Subject: FW: Effexor - 30(b)(6) Notice
Attachments: Pfizer 30(b)(6) 12 23 13.pdf

Mark and Mara:

I served you with the attached deposition notice on December 23, 2013 (see the e-mail below). As of today, we have not received any dates, or any response at all.

Please provide us with dates for the depositions by next Wednesday, February 19. We'd like to avoid any further delay in setting these.

Thanks.

Chris

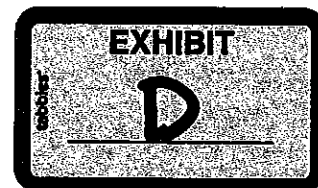
Christopher L. Coffin, R.N., B.S.N., J.D.
Pendley, Baudin & Coffin, L.L.P.
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

Main office of Pendley, Baudin & Coffin, L.L.P.
P.O. Drawer 71
24110 Eden Street
Plaquemine, Louisiana 70765
Tel: (225) 687-6396
Fax: (225) 687-6398
www.pbclawfirm.com

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

From: Chris Coffin
Sent: Monday, December 23, 2013 9:18 PM
To: markcheffo@quinnemanuel.com; Mara Cusker Gonzalez (MaraCuskerGonzalez@quinnemanuel.com)
Cc: baylstock@awkolaw.com; Joe Zonies (External)
Subject: Effexor - 30(b)(6) Notice

Mark and Mara:



Attached please find Plaintiffs' first 30(b)(6) notice in the In Re: Effexor Products Liability Litigation. We'd like to get these depositions set within the first part of February. Please provide us with potential dates and the names of the Pfizer representatives you will produce for the depositions.

Thanks, and happy holidays to you.

Chris

Christopher L. Coffin, R.N., B.S.N., J.D.
Pendley, Baudin & Coffin, L.L.P.
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

Main office of Pendley, Baudin & Coffin, L.L.P.
P.O. Drawer 71
24110 Eden Street
Plaquemine, Louisiana 70765
Tel: (225) 687-6396
Fax: (225) 687-6398
www.pbclawfirm.com

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

EXHIBIT E

Chris Coffin

From: Bryan Aylstock <BAylstock@awkolaw.com>
Sent: Saturday, March 15, 2014 1:10 PM
To: Mark Cheffo; Chris Coffin
Cc: Joe Zonies (External); Mara Cusker Gonzalez; Katherine Armstrong; Jason Richards; Jason Richards
Subject: Re: Effexor 30(b)(6) deposition dates

Thanks Mark

Just please get us firm dates and your preferred location by next week so we can get them on the calendar.

Bryan

Sent from my HTC One on the Verizon Wireless 4G LTE network

----- Reply message -----

From: "Mark Cheffo" <MarkCheffo@quinnemanuel.com>
To: "Bryan Aylstock" <BAylstock@awkolaw.com>, "ccoffin@pbclawfirm.com" <ccoffin@pbclawfirm.com>
Cc: "Joe Zonies (External)" <jzonies@rplaw.com>, "Mara Cusker Gonzalez" <MaraCuskerGonzalez@quinnemanuel.com>, "Katherine Armstrong" <KatherineArmstrong@quinnemanuel.com>, "Jason Richards" <JRichards@awkolaw.com>
Subject: Effexor 30(b)(6) deposition dates
Date: Sat, Mar 15, 2014 1:03 PM

We will respond. Of course this makes it sound like you have no discovery and have not already taken several 30b6 depositions (which of course you have).

From: Bryan Aylstock [mailto:BAylstock@awkolaw.com]
Sent: Saturday, March 15, 2014 07:03 AM
To: Mark Cheffo; Chris Coffin <ccoffin@pbclawfirm.com>
Cc: Joe Zonies (External) <jzonies@rplaw.com>; Mara Cusker Gonzalez; Katherine Armstrong; Jason Richards <JRichards@awkolaw.com>
Subject: Re: Effexor 30(b)(6) deposition dates

Mark
Chris' request was authorized by leadership. These depositions will help guide leadership in our discovery efforts so they are necessary in the next 30 days. Can't we just get rolling with some preliminary depositions?
Bryan

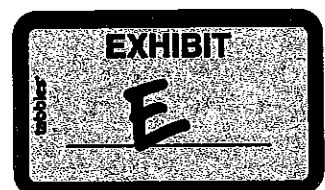
Sent from my HTC One on the Verizon Wireless 4G LTE network

----- Reply message -----

From: "Mark Cheffo" <MarkCheffo@quinnemanuel.com>
To: "Chris Coffin" <ccoffin@pbclawfirm.com>
Cc: "Bryan Aylstock" <BAylstock@awkolaw.com>, "Joe Zonies (External)" <jzonies@rplaw.com>, "Mara Cusker Gonzalez" <MaraCuskerGonzalez@quinnemanuel.com>, "Katherine Armstrong" <KatherineArmstrong@quinnemanuel.com>
Subject: Effexor 30(b)(6) deposition dates
Date: Sat, Mar 15, 2014 8:57 AM

We are dealing the Effexor leadership on discovery schedule an overall approach. I suggest you confer with them.

Sent from my iPad



On Mar 15, 2014, at 9:52 AM, "Chris Coffin" <ccoffin@pbclawfirm.com> wrote:

Mark:

Please provide us with dates within the next 30 days for the 30(b)(6) witnesses the PSC noticed back in December of 2013. If you do not intend to produce any witnesses responsive to the notices, please let us know.

Thanks.

Chris

Christopher L. Coffin, R.N., B.S.N., J.D.
Pendley, Baudin & Coffin, L.L.P.
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

Main office of Pendley, Baudin & Coffin, L.L.P.

P.O. Drawer 71
24110 Eden Street
Plaquemine, Louisiana 70765
Tel: (225) 687-6396
Fax: (225) 687-6398
www.pbclawfirm.com

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

This electronic message and/or its attachments contain legally privileged and confidential information intended only for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, disclosure, distribution, or copying of this transmission or its attachments is strictly prohibited. If you receive this communication in error, please immediately notify the sender by electronic mail, and delete this message, its attachments and all copies and backups.

EXHIBIT F

PENDLEY, BAUDIN & COFFIN, L.L.P.

Patrick W. Pendley
Stanley P. Baudin
Christopher L. Coffin*†
*Also admitted in Georgia
†Registered nurse

Pamela Pendley Baudin
Nicholas R. Rockforte
Jessica A. Perez



ATTORNEYS AT LAW

Post Office Drawer 71 • 24110 Eden Street
Plaquemine, LA 70765-0071
Telephone (225) 687-6396 • Facsimile (225) 687-6398
www.pbcfirm.com

April 4, 2014

New Orleans Office:
1515 Poydras Street, Ste. 1400
New Orleans, LA 70112
Telephone (504) 355-0086
Facsimile (504) 523-0699

Of Counsel:
Allen M. Edwards
David M. Hundley*
*Admitted only in Illinois
M. Kristen Wray

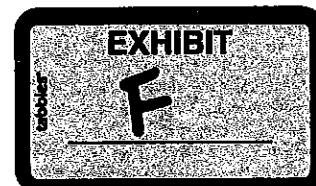
Mark S. Cheffo, Esq.
Katherine Armstrong, Esq.
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010

RE: Renewed and Amended Notice to Take Videotaped Oral Deposition – *In Re:*
Effexor (MDL No. 2458)

Dear Mark and Katherine:

Attached hereto please find Plaintiffs' Renewed and Amended Notice to Take Videotaped Oral Deposition. As you will see, the Notice sets a date and time certain for the deposition of a Pfizer, Inc. 30(b)(6) witness related to the areas of sales and marketing of Effexor. This Notice is being sent after multiple attempts by me and Bryan Aylstock to get dates for 30(b)(6) witness deposition from you. Most recently, Bryan asked that you provide Plaintiffs with dates for the 30(b)(6) depositions we noticed on December 23, 2013, by Tuesday, March 18, 2014. As of today, we still have not received any response from you. Consequently, we have chosen a date for the deposition of a witness or witnesses who can cover the topic of sales and marketing.

As you know, prior to the formation of the Effexor MDL, Scott Nabers and I had worked with you and your team to agree on 30(b)(6) deposition dates for multiple topics. The last deposition that we agreed on was to cover the topic of sales and marketing of Effexor. You agreed to produce Mr. Jay Bowsher on April 30, 2013, in Philadelphia, to cover those topics. (See the attached e-mails and Notice to Take Videotaped Oral Deposition of Jay Bowsher.) Based on that agreement, it seems reasonable to me and the Plaintiffs' leadership in this MDL that Pfizer can produce Mr. Bowsher on May 6, 2014. However, if you feel this is a burden for you or Mr. Bowsher, we are happy to take the deposition on any other date that you choose before May 20, 2014. Considering that the PSC served the initial 30(b)(6) notice over four months ago, we feel that Plaintiffs have provided Pfizer with more than a reasonable amount of time to produce a witness.



Page 2
April 4, 2014
Cheffo and Armstrong

Please let me, Bryan Aylstock and Joe Zonies know, by April 14, 2014, if you would like to keep the date of May 6, 2014, for the deposition, or if you would like to choose an alternative date before May 20, 2014. If we do not receive a response from you by the end of the day on April 14, 2014, we will proceed with the deposition on May 6, 2014, as noticed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Coffin", written in a cursive style.

Christopher L. Coffin

cc: Bryan Aylstock, Esq.
Joe Zonies, Esq.
Jason Richards, Esq.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: EFFEXOR (VENLAFAXINE :
HYDROCHLORIDE) PRODUCTS : MDL NO. 2458
LIABILITY LITIGATION : 13-MD-2458
: :
: HON. CYNTHIA M. RUFÉ

THIS DOCUMENT APPLIES TO: :
ALL ACTIONS :
: :

RENEWED AND AMENDED NOTICE
TO TAKE VIDEOTAPED ORAL DEPOSITION

TO: Mark S. Cheffo, Esquire
Katherine Armstrong, Esquire
QUINN EMANUAL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd floor
New York, New York 10010

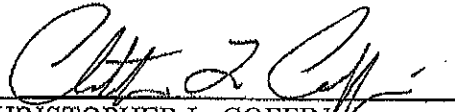
PLEASE TAKE NOTICE that pursuant to Rule 26 and 30(b)(6) of the Federal Rules of Civil Procedure, plaintiffs, by and through their undersigned attorneys, will take the deposition of Pfizer, Inc. on May 6, 2014 at 9:30 a.m., at the offices of Goodell, DeVries, Leech & Dann, LLP, One Commerce Square, 2005 Market Place Street, Suite 1940 Philadelphia, PA 19103-2793, or at another location mutually agreed upon by the parties. Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Pfizer, Inc. shall designate and produce a designated representative or representatives, as may be required, to testify on behalf of Pfizer, Inc. concerning the topics identified in Exhibit A attached hereto.

The deposition will be taken before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure, and will continue from day-to-day, excluding Sundays and court-recognized holidays, until the examination

is completed. You are invited to attend. The deposition will also be videotaped.

Dated: April 4, 2014

RESPECTFULLY SUBMITTED:



CHRISTOPHER L. COFFIN
PENDLEY, BAUDIN & COFFIN, LLP
1515 Poydras Street, Suite 1400
New Orleans, Louisiana 70112
Tel: (504) 355-0086
Fax: (504) 523-0699

Bryan Aylstock
**AYLSTOCK, WITKIN, KREIS &
OVERHOLTZ, PLLC**
17 E. Main Street, Suite 200
Pensacola, FL 32502
(850) 202-1010

Joe Zonies
REILLY POZNER LLP
1900 Sixteenth Street, Suite 1700
Denver, CO 80202
(303) 893-6100

*On Behalf of Plaintiffs and the Plaintiffs' Steering
Committee*

EXHIBIT A

Definitions

The following definitions apply to this Notice of Deposition, including those matters set forth in Exhibit A hereto, and are deemed to be incorporated into each subject and request for documents listed below:

1. "Identify" or "identity" with respect to persons, means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment.

2. "Pfizer," "You," or "Your" refers to the defendant Pfizer, Inc., Wyeth Pharmaceuticals, Inc. and its predecessor companies and all partners, directors, officers, employees, servants, agents, attorneys, joint ventures, or other representatives, including all corporations and entities affiliated with Pfizer and/or Wyeth. The terms shall also include all predecessor business entities, as well as any predecessor's partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf. The terms shall also include all foreign subsidiaries or foreign parent companies, as well as any foreign subsidiaries' or parent companies' partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf.

3. "Person" means natural person, as well as corporate and/or governmental entity.

4. "Effexor" means the drug Effexor and/or Effexor XR and any predecessor or non-final derivation of the drug that later became Effexor and/or Effexor XR. Also included in the definition of Effexor are any chemical equivalents marketed in foreign countries.

5. "Relating to," "relate to," "referring to," "refer to," "reflecting," "reflect,"

“with regard to,” “pertaining to,” “concerning,” or “concern” shall mean evidencing, regarding, concerning, discussing, embodying, describing, summarizing, containing, constituting, showing, mentioning, reflecting, dealing with, relating to, referring to in any way or manner, or in any way logically or factually, connecting with the matter described in that paragraph of these demands, including documents attached to or used in the preparation of or concerning the preparation of the documents.

Deposition Subject Matter

1. How Pfizer has sold and now sells Effexor from the time Effexor was first developed until the present, including:
 - a. The organization and composition of Pfizer’s Effexor sales force;
 - b. Pfizer’s sales force policies and procedures relating to sampling, detailing, contract management, information sharing, and sales analysis for Effexor;
 - c. Pfizer’s policies and procedures related to training, oversight, compensation, and evaluation of sales representatives; and
 - d. The development, implementation, and approval of sales and promotional strategies and materials relating to Effexor.

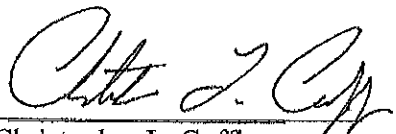
2. How Pfizer has marketed and now markets Effexor including:
 - a. The organization and composition of Pfizer’s Effexor-related marketing departments;
 - b. All integrated marketing campaigns for Effexor, including marketing plans, communications to consumers or doctors, press releases, detail pieces, promotional literature, copy testing, persuasion testing, marketing testing, focus groups, and tracking studies;
 - c. Marketing materials submitted to the FDA;
 - d. The amount of money spent on past and current marketing campaigns for Effexor; and

- e. Any advocate programs, speaker's bureaus, product champions, thought or opinion lenders, or similar organizations.

CERTIFICATION OF SERVICE

I hereby certify that on April 4, 2014, I served the foregoing RENEWED AND AMENDED NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION via electronic mail and US mail to the following:

Mark S. Cheffo, Esquire
Katherine Armstrong, Esquire
QUINN EMANUAL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd floor
New York, New York 10010

By: 
Christopher L. Coffin

*On Behalf of Plaintiffs and the Plaintiffs'
Steering Committee*

EXHIBIT G

Bryan Aylstock

From: Jones, Michael D. <mjones@kirkland.com>
Sent: Friday, May 02, 2014 2:29 PM
To: Bryan Aylstock
Cc: Chris Coffin; Joe Zonies (External); Jason Richards; Mark Cheffo; Katherine Armstrong; Emily Riggs; Mara Cusker Gonzalez; Betsy Williams
Subject: RE: In re Effexor MDL

Bryan,
Thank you for your response. Since the reality is that the relevant documents will not be ready for production or review by Mr Bowsher before the May 20th date proposed in your cover letter, as you suggest, we will move forward with a motion to quash or for protective order, even as we continue to try to find the earliest available date for the deposition. In that regard, it still is helpful to know whether you contemplate a 1 or 2 day deposition. Thanks.
--Mike

Michael D. Jones
Partner

Kirkland & Ellis LLP
655 15th Street, N.W. Washington D.C. 20005
Tel +1-202-879-5294 Fax +1-202-879-5200

michael.jones@kirkland.com

From: Bryan Aylstock [mailto:BAylstock@awkolaw.com]
Sent: Friday, May 02, 2014 12:19 PM
To: Jones, Michael D.
Cc: Chris Coffin; Joe Zonies (External); Jason Richards; Mark Cheffo; Katherine Armstrong; Emily Riggs; Mara Cusker Gonzalez; Betsy Williams
Subject: RE: In re Effexor MDL

Mike,

You must have not been forwarded the letter that Chris wrote to Mr. Cheffo and Ms. Armstrong back on April 4th. As you can see, your client offered up Mr. Bowsher for deposition on April 30, 2013 to cover these same topics. That will have been more than a full year prior to the date we have noticed in this MDL. Moreover, after the MDL was formed, we issued another notice in late 2013 seeking to take this deposition. Our written discovery of marketing materials was also served in 2013. Therefore, we do not accept the proposition that you have had insufficient time to prepare Mr. Bowsher, nor do we agree to move the deposition "several months." Indeed, the fact that the documents relevant to his deposition have not been produced, nor will they be ready to be produced, for several weeks is equally problematic given that our requests for production on these matters were served in 2013. As I have repeatedly said, we will work with you within reason to find a mutually agreeable date but you are making this impossible. In short, we have properly noticed this deposition. It has been noticed since last year. If you need to move it a few days here and there, let us know. Otherwise, we expect your client to have a properly prepared witness ready to answer the questions in our 30(b)(6) notice on the date, time and location noticed. If you do not intend to comply with this notice, we suggest you file appropriate papers with the Court.

Sincerely,
Bryan

From: Jones, Michael D. [<mailto:mjones@kirkland.com>]

Sent: Thursday, May 01, 2014 7:21 PM

To: Bryan Aylstock

Cc: Chris Coffin; Joe Zonies (External); Jason Richards; Mark Cheffo; Katherine Armstrong; Emily Riggs; Mara Cusker Gonzalez; Betsy Williams

Subject: Re: In re Effexor MDL

Bryan,

The documents relevant to preparing Mr Bowsher to be questioned on the substantive topics in your deposition notice will not be ready for production for several weeks. This, combined with his travel schedule and unmovable work commitments, make it impossible to produce him for a deposition within the time frame of your notice and cover letter. We will continue to keep you apprised of the status of the production and Mr Bowsher's schedule with the aim of producing him within the next several months. As I understand the status of this MDL, that should be imminently workable, and consistent with Zoloft in terms of the timing of a substantive marketing 30(b)(6) deposition. Again, we will propose a specific date as soon as we have clearer indication of the status of the production. Meanwhile, can you please advise whether you contemplate a 1 or 2 day deposition. Thanks.

--Mike

Michael D. Jones
Partner, Kirkland & Ellis LLP
655 15th NW
Washington DC 20005
(202) 879-5294

On Apr 25, 2014, at 3:17 PM, "Bryan Aylstock" <BAylstock@awkolaw.com> wrote:

Michael,

I appreciate the coordination and we will work with you within limits but at this point we want to make clear the deposition has been properly noticed for some time and we will be expecting a properly prepared witness on the date and location noticed ready to answer questions on the topics noticed.

Best,
bryan

From: Jones, Michael D. [<mailto:mjones@kirkland.com>]

Sent: Friday, April 25, 2014 2:03 PM

To: 'Chris Coffin'

Cc: Joe Zonies (External); Bryan Aylstock; Jason Richards; Mark Cheffo; Katherine Armstrong; Emily Riggs; Mara Cusker Gonzalez

Subject: RE: In re Effexor MDL

Hi Chris,

Following up on Katherine's email,

We are coordinating on this end and will be getting back to you as soon as possible.

--Mike

Michael D. Jones
Partner

Kirkland & Ellis LLP
655 15th Street, N.W. Washington D.C. 20005
Tel +1-202-879-5294 Fax +1-202-879-5200

michael. jones@kirkland.com

From: Mara Cusker Gonzalez [<mailto:MaraCuskerGonzalez@quinnemanuel.com>]
Sent: Tuesday, April 15, 2014 7:42 PM
To: 'Chris Coffin'
Cc: 'Joe Zonies (External)'; 'Bryan Aylstock'; 'Jason Richards'; Jones, Michael D.; Mark Cheffo; Katherine Armstrong; Emily Riggs
Subject: In re Effexor MDL

Chris, Please see the attached correspondence, sent on behalf of Katherine Armstrong.

Mara

Mara Cusker Gonzalez
Of Counsel,
Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Avenue, 22nd Floor
New York, NY 10010
212-849-7597 Direct
212-849-7000 Main Office Number
212-849-7100 FAX
maracuskergonzalez@quinnemanuel.com
www.quinnemanuel.com

NOTICE: The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not the intended recipient or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

IRS Circular 230 Disclosure:

To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding tax-related penalties under the U.S. Internal Revenue Code or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of Kirkland & Ellis LLP or Kirkland & Ellis International LLP. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to postmaster@kirkland.com, and destroy this communication and all copies thereof, including all attachments.

This electronic message and/or its attachments contain legally privileged and confidential information intended only for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, disclosure, distribution, or copying of this transmission or its attachments is strictly prohibited. If you

receive this communication in error, please immediately notify the sender by electronic mail, and delete this message, its attachments and all copies and backups.

This electronic message and/or its attachments contain legally privileged and confidential information intended only for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, disclosure, distribution, or copying of this transmission or its attachments is strictly prohibited. If you receive this communication in error, please immediately notify the sender by electronic mail, and delete this message, its attachments and all copies and backups.

IRS Circular 230 Disclosure:

To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding tax-related penalties under the U.S. Internal Revenue Code or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of Kirkland & Ellis LLP or Kirkland & Ellis International LLP. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to postmaster@kirkland.com, and destroy this communication and all copies thereof, including all attachments.

This electronic message and/or its attachments contain legally privileged and confidential information intended only for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, disclosure, distribution, or copying of this transmission or its attachments is strictly prohibited. If you receive this communication in error, please immediately notify the sender by electronic mail, and delete this message, its attachments and all copies and backups.

IRS Circular 230 Disclosure:

To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding tax-related penalties under the U.S. Internal Revenue Code or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of Kirkland & Ellis LLP or Kirkland & Ellis International LLP. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to postmaster@kirkland.com, and destroy this communication and all copies thereof, including all attachments.
