

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: LIPITOR (ATORVASTATIN
CALCIUM) MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

)
)
)
)
)
)
)
)
)
)
)

MDL No. 2:14-mn-02502-RMG

This Document Relates to All Actions

JOINT STATUS REPORT FOR STATUS CONFERENCE ON JUNE 13, 2014

Pursuant to this Court's Case Management Orders Nos. 2 and 6, the parties provide this joint status report in advance of the status conference scheduled for June 13, 2014.

(a) A summary of the discovery conducted since the last status conference:

Since the last conference on May 16, 2014, the parties have been working together cooperatively to move discovery forward on multiple fronts.

With respect to custodial file production by Pfizer, after this Court provided direction that Pfizer should apply Plaintiffs' search terms in its review, the parties reached agreement on additional procedures governing the production of non-responsive attachments. Those procedures have been adopted in Case Management Order ("CMO") No. 6A. Pfizer is currently reviewing and preparing for production the files of multiple custodians requested by the PSC and will also be supplementing its prior productions based on the application of the new search terms and CMO 6A.

In addition, Pfizer expects to produce by June 13, 2014, the deposition transcripts referenced in paragraph 11 of CMO 6. Pfizer has also continued its production of documents

and information related to certain clinical trial data, and it has produced certain attachment documents that were previously withheld.

With respect to depositions, the PSC determined to not proceed with a 30(b)(6) deposition on electronically-stored information at this time. On June 3, 2014, the PSC served a notice of deposition of a 30(b)(6) witness and various document requests relating to foreign labeling and regulatory matters. Pfizer will timely serve any objections and response.

With respect to discovery of Plaintiffs, under CMO 6, June 2 was the deadline for Plaintiffs to provide Plaintiff Fact Sheets, authorizations, medical records, and other mandatory disclosures for all cases pending in the MDL as of May 9, 2014. Pfizer has received Fact Sheets in a number of cases and is currently reviewing them, identifying any deficiencies to counsel in each case, and identifying cases in which Fact Sheets or required documents have not been provided.

The parties have also been negotiating a Defendant Fact Sheet and will make a joint submission that identifies any remaining areas requiring Court guidance.

(b) Updates about related federal cases not yet transferred to this District:

The parties have continued to systematically tag for transfer by the JPML other related federal cases that have been filed around the country and the JPML has issued Conditional Transfer Orders (“CTOs”) 1 through 31, many of which have been finalized. There are approximately 134 cases (involving approximately 3,000 additional plaintiffs) that are or will be subject to such CTOs that have not yet been physically transferred to this Court but are expected to be within the coming weeks. Those cases include 81 cases transferred by the JPML on June 6, 2014, all of which were removed to federal court in California and many of which involve

multiple plaintiffs. Pfizer's counsel is monitoring these transfer proceedings and working to ensure that all eligible cases are tagged and transferred.

There are also six cases that were removed from state court to federal court and are subject to CTOs issued by the JPML. Plaintiffs in those cases have moved to vacate the applicable CTOs, and the parties are currently briefing those motions.

(c) Updates about related state cases:

There are several related cases pending in various state courts, all in their initial stages of litigation. The cases are identified below:

Case Name, Court, and Judge	Plaintiffs' Counsel	Number of Plaintiffs	Case Status
<i>Almond, et al. v. Pfizer Inc.</i> , No. 13-C-59, W. Va. Cir. Ct. (McDowell Cty.) Judge Rudolph J. Murensky, II	Richardson, Patrick, Westbrook & Brickman, LLC	40 Plaintiffs	Removed and remanded to state court. Pfizer's motion for referral to West Virginia Mass Torts Panel is currently pending.
<i>Jackson, et al. v. Pfizer Inc.</i> , No. 1322-CC09218, 22nd Jud. Cir. Ct. of Mo. (St. Louis Cty.) Judge John Garvey	Simmons Browder Gianaris Angelides & Barnerd LLC ("Simmons")	70 Plaintiffs	Removed and remanded to state court. Scheduling conference held on May 22, 2014, and next conference set for June 30, 2014.
<i>Jennings v. Pfizer Inc.</i> , No. 1422-CC00091, 22nd Jud. Cir. Ct. of Mo. (St. Louis Cty.)	Simmons	94 Plaintiffs	Removed and remanded to state court. Conference not yet set.
<i>Lovett, et al. v. Pfizer Inc.</i> , No. 1422-CC00225, 22nd Jud. Cir. Ct. of Mo. (St. Louis Cty.), Judge John Garvey	Simmons	89 Plaintiffs	Removed and remanded to state court. Scheduling conference held on May 22, 2014 (together with <i>Jackson</i>), and next conference set for June 30, 2014.

Case Name, Court, and Judge	Plaintiffs' Counsel	Number of Plaintiffs	Case Status
<i>Maus v. Pfizer Inc.</i> N.Y. Sup. Ct. 1360862 (Not yet assigned)	Hanly Conroy Bierstein Sheridan Fisher & Hayes LLP ("Hanly Conroy")	1 Plaintiff	Status conference not yet scheduled.
<i>Montgomery v. Pfizer Inc.</i> N.Y. Sup. Ct. 1360863 (Not yet assigned)	Hanly Conroy Simmons	1 Plaintiff	Status conference not yet scheduled.

(d) Any issues that the parties wish to raise to the Court, and (e) if the parties have differing views on issues raised to the Court, their respective positions on these issues:

The parties are continuing to discuss certain additional discovery and case management issues and may need to raise any unresolved issues with the Court. For example, if there remain numerous deficiencies by Plaintiffs with respect to the Plaintiff Fact Sheet and mandatory disclosures due on June 2, Pfizer expects to raise the issue with the Court and seek relief.

DATED: June 6, 2014

Respectfully submitted,

By: /s/ H. Blair Hahn

H. Blair Hahn

Plaintiffs' Lead Counsel

Richardson Patrick Westbrook & Brickman, LLC

1037 Chuck Dawley Blvd., Bldg. A

Mount Pleasant, SC 29464

Telephone: (843) 727-6500

Facsimile: (843) 727-6642

hahn@rpwb.com

Mark Charles Tanenbaum
Plaintiffs' Liaison Counsel
P.O. Box 20757
Charleston, SC 29413-0757
Telephone: (843) 577-5100
Facsimile: (843) 722-4688
mark@tanenbaumlaw.com

By: /s/ Mark S. Cheffo
Mark S. Cheffo
Rachel Passaretti-Wu
Mara Cusker Gonzalez
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100
MarkCheffo@quinnemanuel.com
RachelPassarettiWu@quinnemanuel.com
MaraCuskerGonzalez@quinnemanuel.com

Michael T. Cole
Nelson Mullins Riley & Scarborough LLP
151 Meeting Street/Sixth Floor
Post Office Box 1806 (29402-1806)
Charleston, South Carolina 29401
Telephone: (843) 853-5200
Facsimile: (843) 722-8700
mike.cole@nelsonmullins.com

David E. Dukes
Amanda S. Kitts
Nelson Mullins Riley & Scarborough LLP
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
Telephone: (803) 799-2000
Facsimile: (803) 256-7500
david.dukes@nelsonmullins.com
amanda.kitts@nelsonmullins.com

Counsel for Defendant Pfizer Inc.

CERTIFICATE OF SERVICE

I hereby certify that, this 6th day of June, 2014, I have electronically filed a copy of the above and foregoing with Clerk of the Court using the ECF system, which sent notification of such filing to counsel of record.

s/ Rachel Passaretti-Wu