

JAN 16 2015 *MS*

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

IN RE: ACTOS® (PIOGLITAZONE)
PRODUCTS LIABILITY LITIGATION

MDL No. 6:11-md-2299

JUDGE DOHERTY

This Document Applies To:
All Cases

MAGISTRATE JUDGE HANNA

CASE MANAGEMENT ORDER:
REPORTING ON RESOLVED STATE COURT PROCEEDINGS

The effective and efficient management of these MDL proceedings requiring that this Court and the parties remain timely apprised of the resolution of all Actos-related proceedings, including those in State courts, this Court orders the following information to be provided as described below in the time frame as ordered by the Court below or conveyed to the parties by the Special Masters.

IT IS ORDERED that, should an Actos-related State court proceeding be resolved in any fashion, whether by trial, settlement, motion, or otherwise, the involved parties and/or Plaintiffs' and/or Defendants' counsel who are before this Court in these MDL proceedings shall provide the following information relating to the resolved proceeding to the Special Masters **WITHIN FOURTEEN CALENDAR DAYS OF ENTRY OF INITIAL JUDGMENT**. The Special Masters shall compile the information and provide it to the Court in a manner that ensures no information is disclosed that is indicative of strategy or violative of privilege.

I. Court Information

- The court before which the case proceeded.
- Plaintiffs' Counsel.
- Defendants' Counsel.
- What law applied.

II. Resolution

- The manner of resolution.
- If resolved by dispositive motion, a copy of the ruling thereon, if available.
- If resolved by trial,
 - The type of trial (e.g., judge or jury).
 - The verdict and/or judgment, with a copy of verdict form, if available, if not already provided to the Court.
- If resolved by settlement, the amount of the settlement, if not subject to a confidentiality order.

III. Plaintiff

- If Plaintiff is not the Actos user, Plaintiff's name.
- Relationship to the Actos user.

IV. Actos User's Background Information

- Name.
- Date of birth.
- Gender.
- Race.
- If applicable, date of death and cause of death as noted in the death certificate.

V. Actos User's Exposure to Actos

- The date Actos use began, and in what dose.
- The date Actos use ceased.
- Total duration of Actos use.

- Any change made to the dosage of Actos over the course of its use, including the date any change was made.
- Cumulative Actos dose at the time of diagnosis of bladder cancer.
- Whether any generic Actos alternative was used, and if so, the date(s) of use of that alternative.

VI. Actos User's Medical History

- Any recurrent chronic infection or irritation of the urinary tract, and if known, the date(s) and duration of such infection or irritation.
- The date bladder cancer was diagnosed, according to a pathology report, and the type of cancer (e.g., muscular invasive or superficial).
- Any medically documented symptoms of bladder cancer occurring prior to diagnosis, and when medically noted.

VII. Actos User's Treatment for Bladder Cancer

- Any treatment for bladder cancer administered (e.g., TURBT/TURP, cystectomy, BCG), including the date(s) of treatment.
- Whether the bladder cancer recurred, and if so, the date(s) of recurrence; any treatment administered in response, including the date(s) of treatment and the nature of the recurrence (e.g., muscular invasive or superficial).

VIII. Actos User's Risk/Causative Factors of Bladder Cancer

- Smoking history, including secondhand smoke.
- Environmental exposures that the medical community agrees present a risk factor of bladder cancer (e.g., parasites, aristolochic acid), and if known, the date(s) and

duration of exposure.

- Occupational exposures that the medical community agrees present a risk factor of bladder cancer (e.g., aromatic amines, arsenic), and if known, the date(s) and duration of exposure.
- Any medical history of genetic abnormality or history of hereditary predisposition presenting a risk factor for bladder cancer.
- Any other medically accepted risk factors for bladder cancer.¹

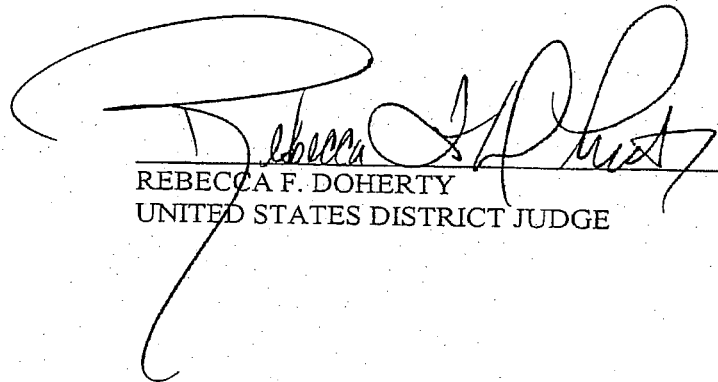
IX. Other Information

- Any other unprivileged, disclosable information counsel believes impacted the resolution of the case.

X. Appeal

- Whether an appeal, if any, is to be or has been filed.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 16 day of January, 2015.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE

¹ Diabetes, while a disputed potential risk factor, is not included in this list, as the Court assumes that every Plaintiff or Decedent in an Actos-related proceeding has or had diabetes. If that assumption is incorrect as to any proceeding, that fact should be noted.