UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: BENICAR (OLMESARTAN) PRODUCTS LIABILITY LITIGATION	* * *	MDL 2606
THIS DOCUMENT RELATES TO ALL CASES	* * *	JUDGE ROBERT B. KUGLER MAG. JUDGE JOEL SCHNEIDER

PROPOSED JOINT AGENDA AND REPORT FOR 3 MARCH 2016 STATUS CONFERENCE:

1. Report on Docket.

There were 1,242 complaints on file with the clerk's office as of March 1, 2016, and 1,149 complaints have been served on at least one U.S. Defendant. As of March 1, 2016, voluntary stipulations of dismissal with prejudice have been filed in 78 cases. Defendants have provided consent to plaintiffs to file voluntarily dismissals with prejudice in 6 additional cases, but the stipulations have not yet been filed.

2. State Court Litigation.

There are currently 67 cases pending in the New Jersey MCL. There is no MCL case management conference currently scheduled.

3. Core Deficient Plaintiff Fact Sheets

DEFENDANTS' POSITION:

a. Core Deficient Cases - First Time Listed

Defendants have sent letters to counsel in the following 11 cases for core deficiencies and have not received responses. This is the first time these cases are being listed on the agenda.

	Case Caption	Docket Number	Plaintiff Counsel Firm	Reasons PFS determined to be core deficient	PFS Core Deficiency Letter Sent

	Case Caption	Docket Number	Plaintiff Counsel Firm	Reasons PFS determined to be core deficient	PFS Core Deficiency Letter Sent
1	Ashley, Elizabeth v. Daiichi Sankyo, Inc., et al.	1:15-cv-04492	Kirtland & Packard LLP	Failure to sign declaration and failure to provide signed authorizations	2/16/16
2	Baker, Frankie v. Daiichi Sankyo, Inc., et al.	1:15-cv-04493	Kirtland & Packard LLP	Failure to provide date of onset of injuries, failure to sign declaration and failure to provide signed authorizations.	2/16/2016
3	Brunson, Laura v. Daiichi Sankyo, Inc., et al.	1:15-cv-04565	Kirtland & Packard LLP	Failure to provide full names and address of prescribers. Failure to submit medical or pharmacy records containing prescribing physician's name.	2/16/16
4	Conway, Chunda v. Daiichi Sankyo, Inc., et al	1:15-cv-05922	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	Failure to provide full names and address of prescribers. Failure to submit medical or pharmacy records containing prescribing physician's name.	2/17/16
5	Johnson, Donna v. Daiichi Sankyo, Inc., et al.	1:15-cv-05005	Sizemore Law Firm	Failure to provide signed declaration for amended PFS.	2/10/16
6	Landry, Brent v. Daiichi Sankyo, Inc., et al	1:15-cv-04821	Kirtland & Packard LLP	Failure to sign declaration and failure to provide signed authorizations	2/17/16

	Case Caption	Docket Number	Plaintiff Counsel Firm	Reasons PFS determined to be core deficient	PFS Core Deficiency Letter Sent
7	Little, Florence v. Daiichi Sankyo, Inc., et all	1:15-cv-04825	Kirtland & Packard LLP	Failure to sign declaration and failure to provide signed authorizations	2/17/16
8	McFan, Angel v. Daiichi Sankyo, Inc., et al.	1:15-cv-05004	Sizemore Law Firm	Failure to provide signed declaration for amended PFS.	2/10/16
9	Anita Slone, an individual, on behalf of the Estate of Jack Slone, Jack v. Daiichi Sankyo, Inc., et al.	1:15-cv-04845	Kirtland & Packard LLP	Failure to provide dates of use of product and failure to provide description of alleged injuries. Failure to submit medical records or pharmacy records indicating same.	2/12/16
10	Sutton, Susan v. Daiichi Sankyo, Inc., et al.	1:15-cv-04890	Kirtland & Packard LLP	Failure to sign declaration and failure to provide signed authorizations.	2/10/16
11	Thomas, Carl v. Daiichi Sankyo, Inc., et al.	1:15-cv-04935	Kirtland & Packard LLP	Failure to sign declaration and failure to provide signed authorizations	2/12/16

PLAINTIFFS' POSITION:

	Case Caption	Docket Number	Plaintiff Counsel Firm	Status of Alleged Deficiencies
1	Ashley, Elizabeth v. Daiichi Sankyo, Inc., et al.	1:15-cv-04492	Kirtland & Packard LLP	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel is currently in the process of supplementing Plaintiff's PFS and will serve defense counsel promptly upon completion.
2	Baker, Frankie v. Daiichi Sankyo, Inc., et al.	1:15-cv-04493	Kirtland & Packard LLP	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel is currently in the process of supplementing Plaintiff's PFS and will serve defense counsel promptly upon completion.
3	Brunson, Laura v. Daiichi Sankyo, Inc., et al.	1:15-cv-04565	Kirtland & Packard LLP	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel is currently in the process of supplementing Plaintiff's PFS and will serve defense counsel promptly upon completion.
4	Conway, Chunda v. Daiichi Sankyo, Inc., et al	1:15-cv-05922	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel is currently in the process of supplementing Plaintiff's PFS and will serve defense counsel promptly upon completion.
5	Johnson, Donna v. Daiichi Sankyo, Inc., et al.	1:15-cv-05005	Sizemore Law Firm	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel will serve defense counsel promptly upon completion and return of the declaration page.

	Case Caption	Docket Number	Plaintiff Counsel Firm	Status of Alleged Deficiencies
6	Landry, Brent v. Daiichi Sankyo, Inc., et al	1:15-cv-04821	Kirtland & Packard LLP	Counsel has sent authorizations to client for signature.
7	Little, Florence v. Daiichi Sankyo, Inc., et all	1:15-cv-04825	Kirtland & Packard LLP	Counsel is still awaiting additional pharmacy records in order to supplement Plaintiff's PFS, as stated in the PFS.
8	McFan, Angel v. Daiichi Sankyo, Inc., et al.	1:15-cv-05004	Sizemore Law Firm	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel will serve defense counsel promptly upon completion and return of the declaration page.
9	Anita Slone, an individual, on behalf of the Estate of Jack Slone, Jack v. Daiichi Sankyo, Inc., et al.	1:15-cv-04845	Kirtland & Packard LLP	Client is non-responsive.
10	Sutton, Susan v. Daiichi Sankyo, Inc., et al.	1:15-cv-04890	Kirtland & Packard LLP	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel is currently in the process of supplementing Plaintiff's PFS and will serve defense counsel promptly upon completion.
11	Thomas, Carl v. Daiichi Sankyo, Inc., et al.	1:15-cv-04935	Kirtland & Packard LLP	Counsel has undertaken a good faith effort to address the alleged deficiencies with the Plaintiff. Counsel is currently in the process of supplementing Plaintiff's PFS and will serve defense counsel promptly upon completion.

b. Core Deficient Cases – Second Time Listed

The follow cases were listed on the agenda for the January 27, 2016 agenda as being core deficient and defendants still have not received a response from counsel regarding these deficiencies, nor have the deficiencies been cured. Pursuant to Case Management Order 20, defendants request that an Order to Show Cause be entered as to why these cases should not be dismissed, with prejudice. There is a motion to dismiss without prejudice currently pending in the *Carmen Cunningham* case (1:15-cv-5006) (no. 2, below).

	Case Caption	**Docket Number**	**Plaintiff Counsel Firm**	**Reasons PFS determined to be core deficient**	**PFS Core Deficiency Letter Sent**
1	Baltimore, Frank v. Daiichi Sankyo, Inc., et al.	1:15-cv-05245	Sizemore Law Firm	Failure to provide social security number, dosage information, failure to sign the PFS and failure to provide authorizations.	1/4/16
2	Cunningham, Carmen v. Daiichi Sankyo, Inc., et al.	1:15-cv-05006	Sizemore Law Firm	Failure to provide social security number, dosage information, failure to sign declaration and failure to provide authorizations.	1/4/16
3	Hudson, Linda and Darryl Hudson v. Daiichi Sankyo, Inc., et al.	1:15-cv-05019	Sizemore Law Firm	Failure to sign the PFS and failure to provide authorizations.	1/4/16
4	Madden, Sandra K. and John Madden, Sr. v. Daiichi Sankyo, Inc., et al.	1:15-cv-3679	McEwen Law Firm Ltd.	Failure to sign the PFS	1/6/15

PLAINTIFFS' POSITION:

	Case Caption	Docket Number	Plaintiff Counsel Firm	Status of Deficiencies
1	Baltimore, Frank v. Daiichi Sankyo, Inc., et al.	1:15-cv-05245	Sizemore Law Firm	Counsel is in the process of working with Plaintiff to cure all remaining deficiencies and supply all authorizations.
2	Cunningham, Carmen v. Daiichi Sankyo, Inc., et al.	1:15-cv-05006	Sizemore Law Firm	A motion to dismiss without prejudice is currently pending in this matter.
3	Hudson, Linda and Darryl Hudson v. Daiichi Sankyo, Inc., et al.	1:15-cv-05019	Sizemore Law Firm	Counsel is currently undertaking a good faith effort to contact the client regarding the alleged deficiencies.
4	Madden, Sandra K. and John Madden, Sr. v. Daiichi Sankyo, Inc., et al.	1:15-cv-3679	McEwen Law Firm Ltd.	Counsel has served the PFS in this matter.

4. Improvidently Filed Cases

DEFENDANTS' POSITION:

Defendants have sent letters seeking dismissal in several cases that defendants believe are improvidently filed because plaintiffs' injuries pre-date their Benicar use, or because plaintiffs' alleged injuries do not fall within the scope of this MDL. These cases were listed on the January 27, 2016 agenda because plaintiffs did not respond to these letters. To date, defendants still have not received responses in any of the six cases listed below. Defendants request that plaintiffs be ordered to provide a response to these letters within seven days. Defendants disagree with

Plaintiffs' speculation that these or other plaintiffs were misdiagnosed, etc. At this point the Defendants are simply asking for the courtesy of a response to the letters which were sent and for the plaintiffs to set forth the specific facts and medical records on which they rely in support of their claims. Defendants note that three cases have been dismissed in response to similar letters.

	Case Caption	**MDL Case No.**	**Plaintiff Counsel Firm**	**Reason for Improvidently Filed Letter**	**Letter sent**
1	Barker, Rex v. Daiichi Sankyo, Inc., et al.	1:15-cv-04414	McEwen Law Firm Ltd	Plaintiff's alleged injury pre-dates his Benicar use.	12/14/15
2	Bradshaw, Gail v. Daiichi Sankyo, Inc., et al.	1:15-cv-05009	Lenze Kamerrer Moss, PLC	Plaintiff alleges diverticulosis, which is unrelated to sprue-like enteropathy, and her alleged event did not begin until over 1.5 years after she stopped taking Benicar	12/14/15
3	DeShazo, James v. Daiichi Sankyo, Inc., et al.	1:15-cv-05362	Matthews & Associates	Plaintiff alleges gall bladder problems, which is outside the scope of this MDL	1/4/16
4	Hoover, Lori Ann v. Daiichi Sankyo, Inc., et al.	1:15-cv-05144	Seeger Weiss LLP	Plaintiff's alleged injury pre-dates her Benicar use	1/5/16
5	Johnson, Donna v. Daiichi Sankyo, Inc., et al.	1:15-cv-05005	Lenze Kamerrer Moss, PLC	Plaintiff alleges Irritable Bowel Syndrome	12/14/15
6	Moore, Shirley v. Daiichi Sankyo, Inc., et al.	1:15-cv-03294	McEwen Law Firm Ltd	Plaintiff's alleged injury pre-dates her Benicar use	12/14/15

PLAINTIFFS' POSITION:

Counsel on the PEC is unfamiliar with the specifics of each case listed above. However, as the Court is aware, many of the cases in this litigation include Plaintiffs who were misdiagnosed and/or experienced complications that resulted from the serious gastrointestinal symptoms suffered after using olmesartan. Defense counsel's analysis of what is or is not a proper case should not be a trigger for dismissal or other action. The cases should progress in the ordinary course. Moreover, dismissal of an action would not be an appropriate remedy in the event a plaintiff claims injuries due to olmesartan, that are deemed not within the scope of the MDL. Rather, the case would be transferred or simply removed from the MDL, and treated as a stand alone action.

The PEC has reached out to counsel and is awaiting details on the status of each case.

5. Overdue Plaintiff Fact Sheets

a. Overdue PFS - First Time Listed

DEFENDANTS' POSITION:

The following 181 Plaintiff Fact Sheets are overdue. This is their first time being listed on the Joint Agenda. Notably, *Rebecca Helmke* (1:15-cv-04875) and *Earnestine Swanson* (1:15-cv-04955) are bellwether cases. There are motions to dismiss without prejudice and motions to withdraw as counsel pending in both of these cases. There are also motion to dismiss pending in the *Florence Jane Hager* Case (1:15-cv-5124) and the *Marion Hamilton Howard* case (1:15-cv-5125). Oppositions have been filed in all of these motions, which are returnable on March 7, 2016.

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
1.	Abram, Brenda L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04654	Johnson Becker, PLLC	10/19/15	1/18/16	1/25/16
2.	Anderson, Nina v. Daiichi Sankyo, Inc., et al	1:15-cv-04510	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
3.	Andrews, Arthur and Andrews, Sharon v. Daiichi Sankyo, Inc., et al.	1:15-cv-04510	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
4.	Arocha, Mark A. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05134	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
5.	Atkinson, Dean v. Daiichi Sankyo, Inc., et al.	1:15-cv-04694	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
6.	Ballard, Donald v. Daiichi Sankyo, Inc., et al.	1:15-cv-04494	Kirtland & Packard LLP	10/23/15	1/21/16	1/29/16
7.	Berryman, Pamella R. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05098	Johnson Becker, PLLC	10/20/15	1/18/16	1/26/16
8.	Blankenship, Rocky v. Daiichi Sankyo, Inc., et al.	1:15-cv-04906	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
9.	Bordelon, III, Joseph J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04998	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
10.	Bosanko, Eleanor and Bosanko, William v. Daiichi Sankyo, Inc., et al.	1:15-cv-04683	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
11.	Bourns, Linita v. Daiichi Sankyo, Inc., et al	1:15-cv-05220	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/25/15	1/25/16	1/29/16
12.	Brackin, Betty J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05364	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
13.	Brewington, Sylvia v. Daiichi Sankyo, Inc., et al.	1:15-cv-04537	Kirtland & Packard LLP	10/23/15	1/21/16	1/29/16
14.	Brown, Jr., Roy v. Daiichi Sankyo, Inc., et al.	1:15-cv-05173	Kirtland & Packard LLP	10/23/15	1/21/16	1/29/16
15.	Buford, Dorothy v. Daiichi Sankyo, Inc., et al.	1:15-cv-04932	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
16.	Burchett, Karen v. Daiichi Sankyo, Inc., et al.	1:15-cv-05080	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
17.	Burks, Terry L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04636	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
18.	Campbell, Robert D. v. Daiichi Sankyo, Inc., et al	1:15-cv-04965	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
19.	Cegers, Antonio v. Daiichi Sankyo, Inc., et al.	1:15-cv-04704	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
20.	Cheney, Lovie I. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05053	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
21.	Clark, Alton D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04664	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
22.	Cochran, Rory and Cochran, Sherrie, Husband and Wife v. Daiichi Sankyo, Inc., et al.	1:15-cv-04625	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/22/15	1/20/16	1/25/16
23.	Cochran, Timothy and Cochran, Felicia v. Daiichi Sankyo, Inc., et al.	1:15-cv-04684	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
24.	Cocklin, Sr., Rick and Gomez, Vivian v. Daiichi Sankyo, Inc., et al.	1:15-cv-04915	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
25.	Colichio, Julia v. Daiichi Sankyo, Inc., et al.	1:15-cv-05374	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
26.	Combs, Dennis v. Daiichi Sankyo, Inc., et al.	1:15-cv-05300	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
27.	Cornell, Eva v. Daiichi Sankyo, Inc., et al.	1:15-cv-05251	Wagstaff & Cartmell LLP	11/9/15	2/8/16	12-Feb-16
28.	Cox, Curtis and Cox, Allison v. Daiichi Sankyo, Inc., et al.	1:15-cv-04706	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
29.	Craig, James v. Daiichi Sankyo, Inc., et al	1:15-cv-05214	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/25/15	1/25/16	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
30.	Crownover, Joe W. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05132	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
31.	Curran, Sandi K. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05077	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
32.	Curtis, Ruthie v. Daiichi Sankyo, Inc., et al.	1:15-cv-05012	Morgan & Morgan	10/14/15	1/12/16	1/15/16
33.	Darling, Thomas E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05078	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
34.	Davis, Kimberly v. Daiichi Sankyo, Inc., et al.	1:15-cv-04959	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
35.	De La Llama, Robin E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04843	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
36.	Delong, Donald v. Daiichi Sankyo, Inc., et al.	1:15-cv-04737	Johnson Becker, PLLC	10/20/15	1/8/16	1/26/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
37.	Dobbs, Zelda v. Daiichi Sankyo, Inc., et al.	1:15-cv-04535	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
38.	Dowell, Larry v. Daiichi Sankyo, Inc., et al.	1:15-cv-04634	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
39.	Dukes, Shalitha v. Daiichi Sankyo, Inc., et al.	1:15-cv-05382	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
40.	Dunn, Laura M. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04888	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
41.	Dunn, Linda v. Daiichi Sankyo, Inc., et al.	1:15-cv-05399	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
42.	Edinger, George T. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04948	Johnson Becker, PLLC	10/20/15	1/18/16	1/22/16
43.	Edwards, Theresa A. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04841	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
44.	Eldridge, Rhonda v. Daiichi Sankyo, Inc., et al	1:15-cv-05129	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
45.	Emler, Cheryl v. Daiichi Sankyo, Inc., et al.	1:15-cv-04787	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
46.	Faris, Jason L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04738	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
47.	Faszler, Norman v. Daiichi Sankyo, Inc., et al.	1:15-cv-04818	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
48.	Faucett, Rita v. Daiichi Sankyo, Inc., et al.	1:15-cv-05135	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
49.	Flowers, Mary v. Daiichi Sankyo, Inc., et al.	1:15-cv-04591	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/15	1/25/16
50.	Ford, Ernest v. Daiichi Sankyo, Inc., et al	1:15-cv-07148	Mazie Slater Katz & Freeman LLC	10/23/15	1/21/15	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
51.	Frederick, Riley v. Daiichi Sankyo, Inc., et al	1:15-cv-05229	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/25/15	1/25/16	1/29/16
52.	Fritz, Andrew v. Daiichi Sankyo, Inc., et al.	1:15-cv-04605	Kirtland & Packard LLP	10/23/15	1/21/16	1/29/16
53.	Gates, Sarah J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05295	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
54.	Geissler, Terence J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04995	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
55.	Giles, Tammy v. Daiichi Sankyo, Inc., et al	1:15-cv-05223	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/25/15	1/25/16	1/29/16
56.	Gooch, David v. Daiichi Sankyo, Inc., et al.	1:15-cv-04922	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
57.	Gordon, Blanca A. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04783	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
58.	Graham, Darlene C. . v. Daiichi Sankyo, Inc., et al.	1:15-cv-04927	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
59.	Green, Annette v. Daiichi Sankyo, Inc. et al	1:15-cv-04742	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/25/16
60.	Green, James v. Daiichi Sankyo, Inc., et al.	1:15-cv-04725	Johnson Becker, PLLC	10/27/15	1/25/16	1/29/16
61.	Hager, Florence Jane v. Daiichi Sankyo, Inc., et al	1:15-cv-05124	Pendley, Baudin & Coffin, LLP	10/28/15	1/26/16	1/29/16
62.	Hall, Angela Diane v. Daiichi Sankyo, Inc., et al.	1:15-cv-05424	Pendley, Baudin & Coffin, LLP	10/28/15	1/26/16	1/29/16
63.	Hall, Charles M. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04786	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
64.	Hallaert, Leon v. Daiichi Sankyo, Inc., et al.	1:15-cv-04749	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
65.	Hallum, Kelley A. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04880	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
66.	Hamlin, Victoria L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05401	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
67.	Hamm, Wilbur v. Daiichi Sankyo, Inc., et al.	1:15-cv-05270	Wagstaff & Cartmell LLP	11/6/15	2/4/16	2/12/16
68.	Harris, Donta L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04912	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
69.	Harvey, Jacqueline and Michael Harvey v. Daiichi Sankyo, Inc., et al.	1:15-cv-04835	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
70.	Heffington, Henry v. Daiichi Sankyo, Inc., et al.	1:15-cv-04722	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
71.	Helmke, Rebecca and Helmke, Frank v. Daiichi Sankyo, Inc., et al. (Bellwether case)	1:15-cv-04875	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
72.	Henderson, Pat v. Daiichi Sankyo, Inc., et al.	1:15-cv-04945	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
73.	Hernandez, Gloria v. Daiichi Sankyo, Inc., et al.	1:15-cv-05050	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
74.	Hess, Helen L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04669	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
75.	Hill, Gregory W. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04681	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
76.	Hill, Sr., Anthony D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05048	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
77.	Holcombe, Shirley v. Daiichi Sankyo, Inc., et al.	1:15-cv-04983	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/23/15	1/21/16	1/29/16
78.	Holmes, Felix M. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05403	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
79.	Holsey, Tonya v. Daiichi Sankyo, Inc., et al.	1:15-cv-04957	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
80.	Howard, Marion Hamilton v. Daiichi Sankyo, Inc., et al	1:15-cv-05125	Pendley, Baudin & Coffin, LLP	10/29/15	1/27/16	1/29/16
81.	Hughes, Nick v. Daiichi Sankyo, Inc., et al.	1:15-cv-05271	Wagstaff & Cartmell LLP	11/6/15	2/4/16	2/12/16
82.	Hughes, Nicole v. Daiichi Sankyo, Inc., et al.	1:15-cv-04501	Wagstaff & Cartmell LLP	11/6/15	2/4/16	2/12/16
83.	Hughley, Dessie v. Daiichi Sankyo, Inc., et al.	1:15-cv-04688	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
84.	Humphrey, Omeca L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04848	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
85.	Hunt, Jennifer v. Daiichi Sankyo, Inc., et al.	1:15-cv-05079	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
86.	Iverson, Tonya v. Daiichi Sankyo, Inc., et al.	1:15-cv-04988	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/23/15	1/21/16	1/29/16
87.	James, Marcia v. Daiichi Sankyo, Inc., et al	1:15-cv-05067	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/25/15	1/25/16	1/29/16
88.	Johnson, Esther R. v. Daiichi Sankyo, Inc., et al.	1:15-cv-06585	Golomb Honik, P.C.	10/5/15	2/4/16	2/17/16
89.	Johnson, Giovan v. Daiichi Sankyo, Inc., et al.	1:15-cv-05288	Wagstaff & Cartmell LLP	11/9/15	2/8/16	2/17/16
90.	Johnson, Patricia O. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04619	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/25/16
91.	Johnson, Richard Herman and Johnson Cathey Beth v. Daiichi Sankyo, Inc., et al.	1:15-cv-04941	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
92.	Jones, Jr. , James E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04682	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
93.	Jordan, Darren E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04666	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
94.	Joseph, Norman L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04797	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
95.	Keith, Krutha E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05054	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
96.	Kwech, Horst v. Daiichi Sankyo, Inc., et al.	1:15-cv-04792	Johnson Becker, PLLC	8/26/15	1/8/16	1/26/16
97.	Langan, Elizabeth v. Daiichi Sankyo, Inc., et al.	1:15-cv-04805	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
98.	Langley, Beverly v. Daiichi Sankyo, Inc., et al.	1:15-cv-05444	Sanders Phillips Grossman, LLC	10/21/15	1/19/16	1/26/16
99.	Lawson, Tony A. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04784	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
100.	Lehman, Sandra S. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04659-	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
101.	Lenoir, Sandra v. Daiichi Sankyo, Inc., et al.	1:15-cv-04649	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
102.	Lessane, George v. Daiichi Sankyo, Inc., et al.	1:15-cv-04567	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/26/16
103.	Lipanovich, James T. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04899	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
104.	London, Januetta v. Daiichi Sankyo, Inc., et al.	1:15-cv-05046	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
105.	Mahan, Sandra W. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05051	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
106.	Maher, Keith R. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04692	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
107.	Mannie, Lynnette v. Daiichi Sankyo, Inc., et al.	1:15-cv-04861	Johnson Becker, PLLC	8/26/15	1/8/16	1/25/16
108.	Mark Carpenter v. Daiichi Sankyo, Inc., et al.	1:15-cv-05369	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
109.	Maynard, Shannon D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04910	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
110.	McClendon, Emmitt v. Daiichi Sankyo, Inc., et al.	1:15-cv-04773	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/23/15	1/21/16	1/29/16
111.	McCoy, Brian G. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04838	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
112.	McHenry, Christine v. Daiichi Sankyo, Inc., et al.	1:15-cv-04836	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
113.	Mctyre, Mary and Stephanie v. Daiichi Sankyo, Inc., et al	1:15-cv-05116	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/25/15	1/25/16	1/29/16
114.	Miller, Jonathon v. Daiichi Sankyo, Inc Et AL.	1:15-cv-05138	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
115.	Mims, James v. Daiichi Sankyo, Inc., et al.	1:15-cv-04989	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/23/15	1/21/16	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
116.	Minix, Fannie v. Daiichi Sankyo, Inc., et al.	1:15-cv-04512	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
117.	Moore, Julian and Andrea Moore v. Daiichi Sankyo, Inc., et al.	1:15-cv-04464	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
118.	Muhammad, Abdul H. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04865	Johnson Becker, PLLC	10/19/15	1/19/16	1/25/16
119.	Neal, Maurice O. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04991	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
120.	Neer, Jeremy J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05294	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
121.	Negahnquet, Thomas v. Daiichi Sankyo, Inc., et al.	1:15-cv-05404	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
122.	Nicholas, Marsha v. Daiichi Sankyo, Inc., et al.	1:15-cv-4246	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/21/15	1/19/16	1/22/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
123.	Norman, Lorenzo v. Daiichi Sankyo, Inc., et al.	1:15-cv-05130	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
124.	O'Neal, James v. Daiichi Sankyo, Inc., et al.	1:15-cv-05405	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
125.	Orton, Melissa v. Daiichi Sankyo, Inc., et al.	1:15-cv-05446	Sanders Phillips Grossman, LLC	10/21/15	1/19/16	1/22/16
126.	Osborn, Maryan v. Daiichi Sankyo, Inc. et al.	1:15-cv-04918	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
127.	Patterson, Billy D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05293	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
128.	Petry, Corey v. Daiichi Sankyo, Inc., et al.	1:15-cv-05406	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
129.	Pierce, Tonya v. Daiichi Sankyo, Inc. et al	1:15-cv-04746	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/22/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
130.	Pierson, Alma J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05291	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
131.	Piret, Christopher v. Daiichi Sankyo, Inc., et al.	1:15-cv-04893	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
132.	Poindexter, Jeffrey D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04734	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
133.	Price, Ashay v. Daiichi Sankyo, Inc., et al.	1:15-cv-04685	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
134.	Rakestraw, Deborah J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04871	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
135.	Rasnake, Linda L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05289	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16
136.	Richardson, Roderick v. Daiichi Sankyo, Inc., et al.	1:15-cv-04993	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/23/15	1/21/16	1/29/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
137.	Rivers, Mark v. Daiichi Sankyo, Inc., et al.	1:15-cv-04936	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
138.	Robinson, Carol v. Daiichi Sankyo, Inc., et al.	1:15-cv-05277	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
139.	Robinson, Della v. Daiichi Sankyo, Inc., et al.	1:15-cv-04661	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
140.	Robinson, Sherriana v. Daiichi Sankyo, Inc., et al.	1:15-cv-04576	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/22/16
141.	Roque, Lonnie J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-07050	Golomb Honik, P.C.	10/5/15	2/4/16	2/12/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
142.	Ruff, Jerome N. v. Daiichi Sankyo, Inc., et al.	1:15-cv-06582	Golomb Honik, P.C.	10/5/15	2/4/16	2/12/16
143.	Rumph, Gracie H. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05407	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16
144.	Russell, Darrell v. Daiichi Sankyo, Inc., et al.	1:15-cv-04261	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/21/15	1/19/16	1/22/16
145.	Russell, Heather A. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05408	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16
146.	Sanders, Ronald J. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04930	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
147.	Scott, Sr., Louis Edward v. Daiichi Sankyo, Inc., et al.	1:15-cv-05252	Wagstaff & Cartmell LLP	11/9/15	2/8/16	2/12/16
148.	Sears, Michelle v. Daiichi Sankyo, Inc., et al.	1:15-cv-05273	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16
149.	Semien, Patricia v. Daiichi Sankyo, Inc., et al	1:15-cv-04624	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/22/16
150.	Shands, Melvin v. Daiichi Sankyo, Inc., et al.	1:15-cv-04877	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
151.	Sharpley, Ronald v. Daiichi Sankyo, Inc., et al.	1:15-cv-04348	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/21/15	1/19/16	1/22/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
152.	Shears, Herman L. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05073	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
153.	Short, Donna and Short, Terry v. Daiichi Sankyo, Inc., et al.	1:15-cv-06491	GoldenbergLaw, PLLC	10/21/15	1/19/16	1/22/16
154.	Simon, Jr., Ronald D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04834	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
155.	Sloan, Carolyn v. Daiichi Sankyo, Inc. et al	1:15-cv-04622	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/22/16
156.	Smith, Ronald E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04678	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
157.	Smith, Terecia v. Daiichi Sankyo, Inc., et al.	1:15-cv-04840	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
158.	Smith-Mays Velma v. Daiichi Sankyo, Inc., et al.	1:15-cv-05261	Johnson Becker, PLLC	10/27/15	21/25/16	1/29/16
159.	Stevenson, John and Stevenson, Tammy v. Daiichi Sankyo, Inc., et al.	1:15-cv-04953	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
160.	Stone, Wayne F. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05409	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16
161.	Sudduth, Lisa v. Daiichi Sankyo, Inc., et al.	1:15-cv-04795	Johnson Becker, PLLC	8/26/15	1/8/16	1/15/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
162.	Swanson, Ernestine v. Daiichi Sankyo, Inc., et al. (Bellwether case)	1:15-cv-04955	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
163.	Taylor, Marquis v. Daiichi Sankyo, Inc., et al.	1:15-cv-04894	Kirtland & Packard LLP	210/26/15	1/25/16	1/29/16
164.	Towns, Estella v. Daiichi Sankyo, Inc., et al	1:15-cv-05121	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/25/15	1/25/16	1/29/16
165.	Trotter, Christopher v. Daiichi Sankyo, Inc. et al	1:15-cv-04587	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/22/16
166.	Wallace, Celeste v. Daiichi Sankyo, Inc., et al.	1:15-cv-05410	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
167.	Walker, Mikyraa v. Daiichi Sankyo, Inc., et al.	1:15-cv-06757	Golomb Honik, P.C.	10/5/15	1/4/16	1/8/2016
168.	Watkins, Justin v. Daiichi Sankyo, Inc., et al.	1:15-cv-04800	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16
169.	Watson, Michael W. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04868	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
170.	Watts, Gary v. Daiichi Sankyo, Inc. et al.	1:15-cv-04876	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
171.	Webster , Catherine . v. Daiichi Sankyo, Inc., et al.	1:15-cv-04672	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
172.	Wheatley, Edward E. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04881	Johnson Becker, PLLC	10/27/15	1/25/16	1/29/16
173.	Whitmore, Roger D. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04958	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
174.	Wicinski, Steven v. Daiichi Sankyo, Inc. et al	1:15-cv-04606	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	10/22/15	1/20/16	1/22/16
175.	Williams, Ava v. Daiichi Sankyo, Inc., et al.	1:15-cv-04759	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A	10/22/15	1/20/16	1/22/16
176.	Williams, Isaac v. Daiichi Sankyo, Inc., et al.	1:15-cv-04997	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
177.	Williams, Tanya R. v. Daiichi Sankyo, Inc., et al.	1:15-cv-04879	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
178.	Winebarger. Colton B v. Daiichi Sankyo, Inc., et al.	1:15-cv-05411	Johnson Becker, PLLC	10/20/15	1/18/16	1/25/16
179.	Winthrop, Adam v. Daiichi Sankyo, Inc. et al.	1:15-cv-04925	GoldenbergLaw, PLLC	10/28/15	1/26/16	1/29/16
180.	Wise, Jr., Richard G. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05250	Wagstaff & Cartmell LLP	11/9/15	2/8/16	2/12/16
181.	Zeleznick, Maxine T. v. Daiichi Sankyo, Inc., et al.	1:15-cv-05244	Johnson Becker, PLLC	10/21/15	1/19/16	1/25/16

PLAINTIFFS' POSITION:

Counsel on the PEC is unfamiliar with the specifics of each case listed above. However, the PEC will reach out to counsel in each case in an effort to get the alleged deficiencies addressed.

b. Overdue PFS - Second Time Listed

DEFENDANTS' POSITION:

The following 7 PFS are overdue and this is their second time being placed on the Joint Agenda.[1] Pursuant to Case Management Order No. 20 (Doc. No. 272), defendants request that an Order to Show Cause be entered in each of these cases, returnable at the next case management conference, as to why the case should not be dismissed with prejudice. The information that plaintiffs list below has not been provided by counsel of record to the defense; these plaintiff lawyers have simply ignored the requests. To date, defendants have not received a PFS in the *Marilyn Wythe* case (1:15-cv-06576) (no. 11 below), which plaintiffs allege was served on February 29, 2016.

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	PFS Overdue Letter Sent
1.	Breckenridge, James as personal representative of Estate of Beverly Breckenridge v. Daiichi Sankyo, Inc., et al.	1:15-cv-05889	McEwen Law Firm Ltd.	9/15/16	12/15/15	12/18/15

[1] Defendants have corrected this chart on the agenda from the January 27, 2016 conference to only reflect those cases that are overdue and where plaintiffs had not responded to a letter in the two week time frame set forth in the Case Management Order 20.

2.	Davis, Pattie F. v. Daiichi Sankyo, Inc., et al.	1:15-cv-03776	McEwen Law Firm Ltd.	9/16/15	2/15/15	12/18/15
3.	Elliot, Jeffrey Alan v. Daiichi Sankyo, Inc., et al	1:15-cv-04443	McEwen Law Firm Ltd.	9/16/15	12/15/15	12/18/15
4.	Fountain, Jr., Henry v. Daiichi Sankyo, Inc., et al.	1:15-cv-4110	McEwen Law Firm Ltd.	9/16/15	12/15/15	12/18/15
5.	Moore, Salinda v. Daiichi Sankyo, Inc., et al.	1:15-cv-05082	Mazie Slater Katz & Freeman LLC	10/1/15	12/30/15	1/8/16
6.	Vigier, Lourdes v. Daiichi Sankyo, Inc., et al.	1:15-cv-04410	McEwen Law Firm Ltd.	9/16/15	12/15/15	12/18/15
7.	Wythe, Marilyn v. Daiichi Sankyo, Inc., et al.	1:15-cv-06576	Golomb Honik, P.C.	7/17/15	12/23/15	12/28/15

PLAINTIFFS' POSITION:

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Status of Case
1	Breckenridge, James as personal representative of Estate of Beverly Breckenridge v. Daiichi Sankyo, Inc., et al.	1:15-cv-05889	McEwen Law Firm Ltd.	Counsel relates that client has become terminally ill and is having difficulty completing the PFS.
2	Davis, Pattie F. v. Daiichi Sankyo, Inc., et al.	1:15-cv-03776	McEwen Law Firm Ltd.	Counsel is currently working with Plaintiff to complete her PFS.
3	Elliot, Jeffrey Alan v. Daiichi Sankyo, Inc., et al	1:15-cv-04443	McEwen Law Firm Ltd.	Client is unresponsive.
4	Fountain, Jr., Henry v. Daiichi Sankyo, Inc., et al.	1:15-cv-4110	McEwen Law Firm Ltd.	Counsel is currently working with Plaintiff to complete his PFS.
5	Moore, Salinda v. Daiichi Sankyo, Inc., et al.	1:15-cv-05082	Mazie Slater Katz & Freeman LLC	Client is unresponsive.
6	Vigier, Lourdes v. Daiichi Sankyo, Inc., et al.	1:15-cv-04410	McEwen Law Firm Ltd.	Client is unresponsive.
7	Wythe, Marilyn v. Daiichi Sankyo, Inc., et al.	1:15-cv-06576	Golomb Honik, P.C.	PFS was served in this matter on February 29, 2016.

7. **Orders to Show Cause:**

DEFENDANTS' POSITION:

Pursuant to Case Management Order Number 20, the Court entered Orders to Show Cause in cases in which a PFS has been overdue for two agendas. In several of these cases, plaintiffs either served the overdue PFS, or agreed to dismissals with prejudice. The following chart lists those Orders to Show Cause that are returnable on March 3, 2016 and in which a PFS is still overdue. Defendants request that the Court enter an Order dismissing each of these cases with prejudice.

There are currently two motions to dismiss without prejudice pending in the *Gilbert Young* case (1:15-cv-5041), one motion filed by each of plaintiff's counsels. Opposition has been filed and these motions are returnable on March 7, 2016.

The information that plaintiffs list below has not been provided by counsel of record to the defense; these plaintiff lawyers have simply ignored the requests.

	Case Caption	**MDL Case No.**	**Plaintiff Counsel Firm**	**Complaint First Service Date**	**Plaintiff Fact Sheet Due Date**	**Order to Show Cause filed**
1.	Edwards, Brenda v. Daiichi Sankyo, Inc., et al.	1:15-cv-04129	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	8/28/15	11/26/15	2/1/16
2.	Fletcher, Gay v. Daiichi Sankyo, Inc., et al.	1:15-cv-05232	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	8/26/15	11/24/15	2/1/16

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Complaint First Service Date	Plaintiff Fact Sheet Due Date	Order to Show Cause filed
3.	Fosselman, Willie v. Daiichi Sankyo, Inc., et al.	1:15-cv-05088	Verhine & Verhine, PLLC	8/18/15	11/16/15	2/1/16
4.	Foster, Michael v. Daiichi Sankyo, Inc., et al.	1:15-cv-04292	Goldenberg Law, PLLC	8/31/15	11/30/15	2/1/16
5.	Larson, Dave v. Daiichi Sankyo, Inc., et al.	1:15-cv-04884	Verhine & Verhine PLLC	8/18/15	11/16/15	2/1/16
6.	Patterson, Sonya v. Daiichi Sankyo, Inc., et al.	1:15-cv-04829	Mazie Slater Katz & Freeman LLC	8/27/15	11/25/15	2/1/16
7.	Roth, Johnathan Jay v. Daiichi Sankyo, Inc., et al.	1:15-cv-05379	Matthews & Associates	8/5/15	11/3/15	2/1/16
8.	Shields, Michael Douglass v. Daiichi Sankyo, Inc., et al.	1:15-cv-05386	Matthews & Associates	8/5/15	11/3/15	2/1/16
9.	Young, Gilbert v. Daiichi Sankyo, Inc., et al.	1:15-cv-05041	Abbott Law Group, P.A	9/1/15	11/30/15	2/1/16

PLAINTIFFS' POSITION:

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Status of Case
1	Edwards, Brenda v. Daiichi Sankyo, Inc., et al.	1:15-cv-04129	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	This case will be dismissed with prejudice.
2	Fletcher, Gay v. Daiichi Sankyo, Inc., et al.	1:15-cv-05232	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	Counsel is in the process of filing a motion to withdraw. Despite repeated efforts and investigative work counsel is unable to contact client.
3	Fosselman, Willie v. Daiichi Sankyo, Inc., et al.	1:15-cv-05088	Verhine & Verhine, PLLC	This case will be dismissed with prejudice.
4	Foster, Michael v. Daiichi Sankyo, Inc., et al.	1:15-cv-04292	Goldenberg Law, PLLC	Despite repeated efforts and investigative work counsel is unable to contact client. Counsel previously informed the Court of the situation, via letter, in response to Defendants letter regarding the overdue PFS.
5	Larson, Dave v. Daiichi Sankyo, Inc., et al.	1:15-cv-04884	Johnson Becker, PLLC	Plaintiff is actually represented by Verhine & Verhine PLLC. Counsel intends to dismiss case.

	Case Caption	MDL Case No.	Plaintiff Counsel Firm	Status of Case
6	Patterson, Sonya v. Daiichi Sankyo, Inc., et al.	1:15-cv-04829	Mazie Slater Katz & Freeman LLC	Client is not responsive.
7	Roth, Johnathan Jay v. Daiichi Sankyo, Inc., et al.	1:15-cv-05379	Matthews & Associates	Client is not responsive.
8	Shields, Michael Douglass v. Daiichi Sankyo, Inc., et al.	1:15-cv-05386	Matthews & Associates	Client is not responsive.
9	Young, Gilbert v. Daiichi Sankyo, Inc., et al.	1:15-cv-05041	Abbott Law Group, P.A	Counsel has previously filed a motion to withdraw in this matter.

8. Bellwether Deficiencies

DEFENDANTS' POSITION:

Defendants have sent letters to Plaintiffs in bellwether cases regarding deficiencies or seeking more specific responses to Plaintiff Fact Sheets. Plaintiffs have not responded to these requests for additional information within the two week time frame set forth in Case Management Order No. 20. Notably, these two cases were also listed on the Joint Agenda for the January 27, 2016 conference. Defendants ask that the Court order that Plaintiffs respond to all letters in a full and complete way within one week of the case management conference.

Case Caption	MDL Case No.	Plaintiff's Counsel	PFS Deficiency Letter Sent
Johnson, Annette M. v. Daiichi Sankyo, Inc., et al.	1:15-cv-2491	Spangenberg Shibley & Liber, LLP Levin Papantonio Thomas Mitchell Rafferty & Proctor,	12/23/15

Case Caption	MDL Case No.	Plaintiff's Counsel	PFS Deficiency Letter Sent
		P.A.	
Morgan, Patricia v. Daiichi Sankyo, Inc., et al.	1:15-cv-04283	Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.	12/28/15

PLAINTIFFS' POSITION:

Plaintiffs' counsel has undertaken a good faith effort to resolve the purported outstanding deficiencies and intends to submit a response to Defendants, regarding each deficiency letter.

9. Cases Filed Twice

DEFENDANTS' POSITION:

There are currently two cases pending in which plaintiffs have filed two complaints:

Plaintiff	First Case No.			Second Case No.			Letter Sent to Plaintiffs
	Case Number	Filed Date	Plaintiffs Firm	Case Number	Filed Date	Plaintiffs Firm	
Judy Lammers	MDL 1:15-cv-04281	6/24/15	Levin, Papantonio, Mitchell, Rafferty & Proctor, PA	MDL 1:15-cv-05148	7/2/15	Seeger Weiss LLP	10/26/15
Victoria Hamlin	E.D.M.O. 4:15-cv-01156	6/26/15	Schlichter, Bogard & Denton	MDL 1:15-cv-05401	7/10/15	Johnson Becker, PLLC	11/20/15

These cases were also listed on the Joint Agenda for the January 27, 2016 conference. Pursuant to Case Management Order 20, plaintiffs were instructed to elect which case to dismiss with prejudice. To date, plaintiffs have not made this election in either case. Defendants request that the Court order such election be made in thirty days. If not, Defendants request that an Order to Show Cause be entered as to why both cases should not be dismissed with prejudice.

PLAINTIFFS' POSITION:

Plaintiffs' Counsel, representing the above referenced Plaintiffs, are in the process of conferring regarding how to proceed in regards to the duplicative filings referenced above. As to Plaintiff Judy Lammers, the PEC has been advised that Seeger Weiss will be seeking a dismissal of its duplicative pleading. Plaintiff, Victoria Hamlin, was previously filed as a single plaintiff case within this MDL and as part of a multi-plaintiff complaint in St. Louis City, which was subsequently removed to this Court. The PEC has been advised that Ms. Hamlin's attorneys are in the process of conferring. Furthermore, Hamlin's counsel, Roger Denton, is currently out of the country but has expressed his desire to address the currently pending remand issue with the Court at a future date.

10. Bellwether Pool

DEFENDANTS' POSITION:

In the February 17, 2016 letter to the Court, defendants asked the Court to randomly select a new case as the bellwether pool only had 29 cases. On February 24, 2016, plaintiff's counsel dismissed the *Margaret Lowery* (1:15-cv-05371) case with prejudice, bringing the pool down to 28 cases. Defendants request that two additional bellwether cases be randomly selected to bring the bellwether pool to 30 cases.

Further, as noted above, there are motions to dismiss without prejudice and motions to withdraw as counsel in two bellwether cases in which the PFS is overdue: *Rebecca Helmke* (1:15-cv-04875) and *Earnestine Swanson* (1:15-cv-04955). These motions are returnable on March 7, 2016. Defendants request that these PFS be served by March 1, 2016, as set forth in Case Management Order 20.

PLAINTIFFS' POSITION:

Plaintiffs agree that the dismissed cases should be replaced.

Plaintiffs also request removal of Norma Stevens v. Daiichi et al., 1:15-CV-15-3905, from the bellwether pool, and replacement of the case. On February 25, 2016 plaintiff's counsel, Mazie Slater, filed a motion to withdraw as counsel. In addition, plaintiff counsel has notified defense counsel that a treating gastroenterologist's records, including a colonoscopy referenced in the medical records, all pre-dating use of Benicar, cannot be located despite diligent efforts, including the hiring of a private investigator in Tennessee. Plaintiff has requested defense counsel's consent to removal of the case from the bellwether pool, and replacement, as the issues with the case render the case undesirable as a bellwether in this litigation.

11. Woodshedding

DEFENDANTS' POSITION:

Defendants' request permission to file a motion regarding "woodshedding," that is, to preclude ex-parte communications with treating and prescribing physicians by plaintiffs with regard to defendants' documents and plaintiffs' liability theories. The issue is whether plaintiffs can take the advocacy of the open courtroom into the privacy of the examining room of the physician, where only one side is present. Defendants submit there should be no ex parte advocacy by plaintiffs' counsel – no use of company documents, medical literature, or discussion of liability theories in ex parte communications. Any ex parte communications by plaintiffs' counsel should be limited to the care and treatment of the patient. *See In re Pelvic Mesh/Gynecare Litigation*, ATL-L-6341-10 (N.J. Super. Ct. Law Div. Dec. 3, 2013); *In re Chantix (Varenicline) Prods. Liab. Litig.*, No. 2:09-cv-2039-IPJ, 2011 WL 9995561 (N.D. Ala. June 30, 2011); *In re Ortho Evra Prods. Liab. Litig.*, MDL Docket No. 1742, No. 1:06-40000,

2010 WL 320064 (N.D. Ohio Jan. 20, 2010). This should not affect the parties' ability to interview and use treating physicians as experts in cases not involving their patients. *See In re Pelvic Mesh/GyneCare Litig.*, 43 A.3d 1211 (N.J. Super. Ct. App. Div. 2012).

PLAINTIFFS' POSITION:

This issue has never been raised by Defendants prior, and certainly there has never been a discussion or meet and confer with leadership. The issues implicated by this request are broad and important, as a plaintiff's (or his or her attorney's) ability to communicate openly with his or her physician is a bedrock right which should not be abridged due to ongoing litigation. The decisions cited by Defendants were entered based upon the facts and circumstances in those actions. Such an Order would be inappropriate and unnecessary in this litigation. In the event this issue will be considered by the Court, a decision that would interfere with or limit the right of a plaintiff to communicate openly with his or her physician should be based upon full briefing and oral argument.

12. ROADMAP

DEFENDANTS' POSITION:

As set forth in plaintiffs' letters dated January 25, 2016 and February 19, 2016, plaintiffs have requested 372 boxes from the ROADMAP trial master file in Germany. Defendants are working to collect, process and produce the documents from these boxes, as explained in defendants' letter submission of March 1, 2016. This rolling collection has begun and scanning of the 372 boxes is underway. Documents will be produced on a rolling basis and defendants expect production to be completed by April 15, 2016.

PLAINTIFFS' POSITION:

Defendants have not shown good cause to adjust the March 19, 2016 deadline for completion of the Roadmap production. This production was promised in August, 2015 and any burden Defendants identify is solely the result of Defendants' failure to timely initiate the process to produce the ROADMAP documents last year. This includes the Case Report Forms for each patient, which were separately and explicitly requested multiple times, including on the record in Court, in the Fall, 2015.

13. Production Update

DEFENDANTS' POSITION:

Defendants have produced the custodial documents for the tiers one, two and three deponents and are preparing the production for the tier four (March 15) deponents and custodians. Productions for the remaining priority custodians shall proceed in accordance with the deadlines set forth in the Court's January 14 Order.

Defendants are also collecting and producing the supplemental documents for the 20 Daiichi U.S. deponents based on the Court's January 29 Order. To date, supplemental productions have been served for Anthony Corrado, Howard Hoffman, and Manini Patel whose depositions are scheduled for March 7, March 9 and March 16, 2016, respectively. Additionally, defendants have served supplemental productions for Tina Ho, Oliseyenum Nwose and Michael Melino earlier than the three-week deadline. Defendants are preparing supplemental productions for the remaining deponents in accordance with the deposition schedule as well as producing deponent's resumes and LinkedIn in pages pursuant to the Court's order.

Simultaneously, rolling productions of the following are currently ongoing: (a) documents from the 372 ROADMAP trial master file boxes identified by plaintiffs; (b) 211

MedWatch source files identified by plaintiffs on February 5, 2016; and (c) productions based on plaintiffs' dozens of other "priority" demands as set forth in plaintiff's January 11 and January 29 letters and the Court's orders dated January 27, 2016 and February 24, 2016. Since October 9, 2015, Defendants also have responded to over 465 additional discovery requests, and 244 of those requests have come since January 1, 2016.

This production is progressing in accordance with the Court's deadlines. To date, Defendants have produced over 22 million pages of documents, which includes documents in categories that Plaintiffs have deemed a priority and from custodians identified in Plaintiffs' list of 20 Daiichi U.S. deponents, at a cost of over $12 million.

On February 25, 2016, the parties met and conferred on the many informal discovery requests raised in Plaintiffs' January 8, 11, 14, 29 and February 10, 17, 19 and 24 letters, and now Plaintiffs add each of those points to the joint agenda even though they do not require attention during the conference. Defendants are responded in writing to each of these alleged production deficiencies, and provide the following summary of status and responses in bold within Plaintiffs' section, below.

PLAINTIFFS' POSITION:

There are a number of ongoing deficiencies in Defendants' document production.

Defendants have not confirmed in writing to Plaintiffs the substantial completion of the production of any custodial file despite the existence of an Order requiring this confirmation. This and the other issues raised by Plaintiffs prior to the last status conference were discussed in a meet and confer with Defendants on February 25, 2016. During the meet and confer the following issues were discussed.

Defendants' Response: Case Management Order No. 12 states that "defendants shall notify plaintiffs when each custodian's ESI/document production is substantially complete." We are in compliance with this instruction, including the sixty day update, for Anthony Corrado, Howard Hoffman, Manini Patel, Diane Benezra-Kurshan, and Herve Caspard, and sent a confirming letter on March 1, 2016.

Plaintiffs advised defense counsel of the litigations in which Forest produced additional corporate organizational charts, and defense counsel confirmed that this had been discussed with Forest, and additional corporate organizational charts would be produced. Defendants were to confirm this production, including the bates ranges, and that has not been provided. This and other similar document productions in response to specific requests, especially those raised with the Court, should be identified separately so the parties are assured to be on the same page.

Defendants' Response: During the meet and confer on February 25, 2016, Defendants advised Plaintiffs that additional Forest Organizational Charts were produced.

The parties discussed the production log. Plaintiffs maintain that the production log should not merely set forth the source of emails and attachments for particular custodians as the "Email Archive" and then list the numerous custodians whose emails and attachments are produced, but should also be required to group the emails and attachments by custodian, and set forth the bates range of the documents for each custodian separately. Defendants continue to disagree, taking the position that it would be burdensome to do so. **However, Defendants did acknowledge during the most recent meet and confer that custodial documents produced from other sources present a different issue**. For example, Defendants have been producing custodial documents other than emails from the Email Archive, and simply listing the source as "Hard Drive" and "Homeshare," for example, and then listing a series of custodians whose

documents are produced without breaking down the documents by individual custodian and listing the bates range for each. Defendants agreed to advise whether they will be willing to delineate each custodian separately, with the bates range of documents for that custodian.

Defendants also acknowledged that for Daiichi Japan the documents are not pulled from a shared email server database, but rather from each individual custodian's computer, therefore it is appropriate to produce the Daiichi Japan emails and attachments on a custodian by custodian basis, as with the personal share and other similar data and documents, if any. Defendants agreed to advise of their position.

Plaintiffs have consistently requested that all custodial productions be identified in the production log on a custodian by custodian basis.

Defendants' Response: As stated in our January 21, 2016 letter, the custodian metadata provided in the production logs are in compliance with the ESI Protocol and the Court's October 30, 2015 Order. During the February 25, 2016 meet and confer, plaintiffs acknowledged that they understood the complications, burdens and redundancies of identifying Bates ranges for each custodian on the Email archive. Plaintiffs asked for the first time whether Bates ranges could be provided for Daiichi U.S. and Daiichi Japan custodians for paper and file share productions, and defendants are reviewing this request.

Defendants acknowledged that the disc images listed in Plaintiffs' letter dated January 14, 2016 represent documents that have not been produced to date, which is likely voluminous. This includes NDA and other critical documents. Defendants agreed these documents would be produced in the next two weeks.

Defendants' Response: As we told Plaintiffs on January 21 and discussed again on February 25, 2016, we began producing data from the 52 CDs, and we expect this

production to be completed within two weeks. As we explained during the conference on January 27, 2016 and during our meet and confer, CDs and media were copied during the IND and NDA archiving process by Daiichi Sankyo, Inc., but the data on them were not scanned. Where CDs and media are identified during custodial and non-custodial collections for the litigation, the data have been processed and produced.

Defendants advised that they are in the process of correcting the adverse event report production issues identified in Plaintiffs' letters dated January 29, 2016 and February 12, 2016. Plaintiffs sought agreement on a deadline without success.

Defendants advised that the protocols for the ArisG adverse event database in effect from 2007 to 2014, when Argus went online, have been produced for Daiichi US, and were produced or will be shortly for Daiichi Japan. Plaintiffs reiterated the request for the native data for the adverse event reports and related source documents maintained on Argus (all data from ArisG was supposed to be migrated from ArisG to Argus when Argus went online). This native data is needed to allow Plaintiffs to sort and analyze the data, review each iteration of adverse event reports for each patient, and thus have the ability to more fully and effectively utilize this important data. Defendants maintained this would be a burden but would advise if there is any movement in their position.

Defendants' Response: As we discussed during the February 25, 2016 meet and confer, and as stated in our March 2, 2016 letter, Defendants are revising the redactions based on the examples provided by Plaintiffs, and we told Mr. Slater that if plaintiffs identify other similar MedWatch forms, we will consider whether any redactions should be changed. We expect to produce the revised redactions within two weeks.

Regarding production of the ARGUS system in native, as explained during ESI meet and confers over the past year, and in defendants' letters dated January 4 and 21, 2016, the adverse event reports were produced to Plaintiffs in PDF, which is the same format in which they are kept in the normal course of business, and the same format in which they are submitted to the FDA. This manner of production is in accordance with both Fed. R. Civ. P. 34 and the ESI Protocol. We have produced over 12,000 MedWatch forms as they are maintained in the ordinary course of business.

As we discussed with plaintiffs during the February 25, 2016 meet and confer, production of exports of adverse event data in native form would require significant redactions, and would be burdensome, time consuming, expensive, and not proportional to the issues before the Court. Nevertheless, we agreed to further review Plaintiffs' request and meet and confer on this issue.

Defendants asked Plaintiffs to produce the documents showing what FOIA request(s) were made by Daiichi to the FDA. Defendants refused to simply disclose those FOIA requests and responses received regarding the Olmesartan drugs. Plaintiffs advised Defendants of one such document, a MedWatch report indicating that Daiichi had made a FOIA request of the FDA for adverse event information on the Olmesartan drugs and the information recited in the MedWatch report was included in that response. Defendants should disclose and produce all Olmesartan related FOIA requests and responses. The suggestion by Defendants that they can only do so if Plaintiffs first produced Defendants' own documents referencing a FOIA request makes no sense since they themselves know what they requested and obtained, and suggests that they do not want to first disclose all such requests and productions in case Plaintiffs are not aware of the full list.

Defendants' Response: On January 21, 2016, Defendants requested that Plaintiffs "provide more detail on the documents they seek with this new request so that defendants can respond accordingly. This topic has never been listed anywhere as a discovery priority." Plaintiffs never responded. As we requested again on February 25, 2016, plaintiffs need to provide more detail regarding the documents they seek, so that defendants can respond to this request. Mr. Slater agreed to do this by the end of the day on February 25, 2016. Despite follow-up on February 26 and 29, plaintiffs have not sent us the documents at issue. We again ask Plaintiffs to send us the documents and information so that we can consider how to address this issue.

The Documentum database contains Medical Affairs medical response documents, and Defendants advised those have been produced previously. Plaintiffs requested an index or other list of what is contained on Documentum so that Plaintiffs can determine what additional documents or data needs to be requested from the database. Defendants agreed to this request.

Defendants' Response: Defendants confirmed that medical response documents were already produced to plaintiffs in November 2014. On February 25, 2016, for the first time, plaintiffs requested that defendants identify other categories of olmesartan-related documents and information maintained within Documentum, and defendants are reviewing that request.

The parties discussed the Daiichi Japan development files, which Defendants agreed to produced months ago. Plaintiffs confirmed Defendants' understanding that the request encompasses the documentation of the development of the drugs from idea to market – analogous to what would be found in a medical device Design History File. This was not a new request, but rather is the consistent understanding going back to last year when Defendants

agreed to make this production, which continues to lag. Plaintiffs asked for disclosure of what has been produced in response to this request and what remains to be produced.

Defendants' Response: Daiichi Japan's November 6 production included documents related to the development of olmesartan. As additional responsive documents are identified, they will be included in Defendants' rolling productions. For the first time on February 25, 2016, plaintiffs requested all documents that are the equivalent to a "design history file" in a medical device case. Defendants advised this request would be reviewed and the parties agreed to meet and confer on this issue.

Defendants agreed to produce a production schedule for the production of documents for Daiichi Japan custodians. Plaintiffs reiterated the request for a list of custodians and the total documents and pages collected per the search terms, and the percentage reviewed and produced, so that there will be transparency for the Plaintiffs and the Court, and also to help determine when the final list of deponents can be reasonably provided. Defense counsel advised he would consider this renewed request and get back to us, in light of the Plaintiffs' explanation for why this information is needed. This is now critical data as we approach what is sure to be a hard deadline to select Daiichi Japan deponents. The new suggestion that Plaintiffs do so by March 18, 2016 smacks of gamesmanship and is unworkable and would be inequitable under the current circumstances.

Defendants' Response: Regarding the renewed request for document counts, the Court has already rejected this request, which is not as simple as a "push of a button." Calculating document counts, page counts and production statistics is time consuming; the numbers change daily, and this diverts resources from document collections and productions. Pursuant to the Court's request during the February 12 MDL telephone

conference, defendants will provide an update as to Daiichi Japan custodial productions by March 15.

Defendants request that plaintiffs provide a final list of Daiichi Japan deponents by March 18, 2016, which is 60 days before depositions are scheduled to begin. Plaintiffs' continued delay in identifying a final list of deponents prejudices the defendants' ability to prioritize and produce documents for the selected deponents, and impacts the ability of the potential deponents to travel outside of the United States for depositions.

Defendants agreed to respond to Plaintiffs' prior request for disclosure as to which Daiichi Japan witnesses speak English and thus will not require a translator for their depositions. This will be a factor in Plaintiffs' consideration of which custodians to depose. Defendants' position that all witnesses, even those who routinely communicate on a day to day basis in English, will need a translator, is not logical and should not be permitted.

Defendants agreed to produce updated and corrected information regarding the employment status of the Daiichi US and Daiichi Japan custodians.

Defendants' Response: On February 25, 2016, we told Plaintiffs that Defendants are providing updated letters regarding the employment status of Daiichi Japan, Daiichi U.S., and Forest custodians. Defendants have advised Plaintiffs that all Daiichi Japan deponents will be deposed using a translator as English is not their first language, with the exception of Mr. Hinman, who may be deposed without a translator.

Defendants agreed to re-produce SAS files (clinical study data) in native format pursuant to the ESI protocol, in the next two weeks, and to advise in writing as to why any particular forms of SAS data would not be able to be reasonably produced in native format.

Defendants' Response: For the first time on February 17, 2016, Plaintiffs demanded production of 1,678 native documents from the ROADMAP clinical trial database. A discussed during February 25, 2016 meet and confer, even though the file types requested were no covered by the ESI Protocol, Defendants agreed to produce native files for 1,512 of the documents identified. The remaining documents are covered by the ESI Protocol and were produced as TIFF images.

Various items and requests are subject to Court Order, and Defendants confirmed that they will comply with the Order in each instance, including: letter to the Court regarding medical records protocol; production of Forest Adverse Event protocols and any modifications or practices put in place pursuant to the co-promotion agreement for the Olmesartan drugs (Plaintiffs confirmed that they are seeking production of the documentation of adverse events reported to Forest and communicated by Forest to Daiichi or the FDA); CAPA's; the outstanding litigation holds, document preservation policies, and insurance declaration pages; the recently requested source files.

Finally, Plaintiffs are uncertain as to how Defendants calculate the number of discovery requests from Plaintiffs, which is recited in each agenda, or the import of the observation.

Defendants' Response: As we advised during the February 25, 2016 meet and confer, defendants are in compliance with the Court's orders regarding discovery, despite receiving new, informal requests almost daily, including during the hour-long meet and confer with Mr. Slater.

14. Documents Missing Attachments

PLAINTIFFS' POSITION:

During the document reviews for the first two deponents, Corrado and Hoffman, Plaintiffs discovered that 31,926 documents have been produced without attachments. This was brought to the attention of Defendants by letter sent on February 29, 2016. Once Plaintiffs found the problem existed with a few documents, production-wide searches were conducted, and the number provided above is based on the information Plaintiffs could determine at present. This serious problem needs to be remedied expeditiously, to say the least. The suggestion that this issue is in any way the fault of Plaintiffs is not credible.

DEFENDANTS' POSITION:

Plaintiffs raised for the first time on February 29, 2016 the question of whether attachments were produced for custodial emails that reference email archive shortcut links. This should have been raised with us immediately, and plaintiffs should not have waited until the eve of the commencement of depositions, and announced that there are 31,000 "missing" documents. This practice of springing new issues days before an MDL conference just so they can add it to the agenda should not be countenanced by the Court. We are analyzing this issue, but based on a sampling of the examples that plaintiffs provided, we have confirmed that the attachments were all produced to plaintiffs. This is not an issue that is ripe for the conference.

15. Medical Records Protocol

DEFENDANTS' POSITION:

On March 1, 2016, defendants submitted a supplemental letter directly to chambers regarding costs under defendants' proposed medical records protocol pursuant to the Court's instruction.

PLAINTIFFS' POSITION:

Plaintiffs are awaiting Defendants' supplemental letter to the Court. Plaintiffs maintain that the Defendants should be compelled to produce all documents obtained with regard to a plaintiff, including those obtained through use of authorizations provided by Plaintiff, at Defendants' expense.

16. Deposition Protocol

The parties have engaged in a meet and confer regarding the Deposition Protocol, and request that the Court resolve the disputes and enter the Protocol before the commencement of the depositions on March 7, 2016.

17 Depositions of Manini Patel and Oliseyenum Nwose

PLAINTIFFS' POSITION:

Defendants have just advised that they will not be producing Manini Patel for the deposition that was set for March 15, 2016. The reason Ms. Patel's deposition is not going forward is that Defendants never confirmed it with her. Apparently, Defendants have also not confirmed the date of March 29, 2016, set for the deposition of Dr. Nwose. The reason provided by Defendants for failing to confirm the depositions of these people, both former Daiichi US employees, is that they do not represent Patel, and may not represent Nwose. This clearly creates a problem for Plaintiffs in terms allocating resources and prioritizing deposition preparation activities.

Plaintiffs have requested the current contact information for these individuals so they can be contacted directly. This should be produced no later than March 3, 2016 at 1:00 pm.

DEFENDANTS' POSITION:

The dates for the depositions of Ms. Patel and Dr. Nwose were always listed as "not confirmed". Defendants are not able to confirm these dates with these witnesses. Plaintiffs have not requested any further information as to these witnesses.

18. Privilege Log

PLAINTIFFS' POSITION:

The parties have been engaged since November, 2015 in a meet and confer regarding deficiencies in the privilege log that make it difficult for Plaintiffs to identify documents for which privilege challenges should be made. Defendants have acknowledged deficiencies in the privilege log which they have agreed to remedy, and that certain documents have been improvidently withheld in whole or in part (redacted), and this is to be remedied as well. The open issue is the time frame for these steps to be taken. Plaintiffs seek completion of this process by mid-March, and Defendants have now agreed to a deadline of March 16, 2016. Plaintiffs therefore seek entry of an Order setting this deadline.

DEFENDANTS' POSITION:

The parties have been engaged since November 2015 in weekly meet and confer sessions with Plaintiffs which in Plaintiff's own words have been characterized as professional, cooperative and productive. These discussions have served to narrow a majority of the issues and purported deficiencies raised by Plaintiffs regarding the privilege log. While Defendants have not agreed that any documents were "improvidently" withheld, efforts have been undertaken and are underway to address Plaintiffs' claims. As Defendants have advised Plaintiffs, these efforts addressing the discussed deficiencies will all be completed on or before

March 16, 2016. As the mid-March deadline has been provided by Defendants, it is unnecessary for the Court to enter an Order regarding this issue.

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Respectfully Submitted,

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