

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: ABILIFY (ARIPRAZOLE)
PRODUCTS LIABILITY
LITIGATION

Case No. 3:16-md-2734

Chief Judge M. Casey Rodgers
Magistrate Judge Gary Jones

This Document Relates to All Cases

DISCOVERY CONFERENCE ORDER NO. 5

At the parties' request, the Court held a discovery conference call on January 17, 2017. This Order serves to memorialize the key topics of discussion during the call, including any agreements of counsel and orders of the Court.

The parties are currently conferring regarding a creative solution to the case management concerns addressed in previous orders. According to Plaintiffs, one reason for the delay in filing the number of cases needed to proceed with the current Bellwether plan involves counsel's difficulty in procuring the documents necessary to fully vet the claims of potential plaintiffs. In order to avoid delay in filings, Plaintiffs have proposed allowing these potential plaintiffs to complete the forthcoming Plaintiffs Profile Form and input this data into the BrownGreer PLC system prior to their cases being filed. This would allow the creation of a data pool of potential plaintiffs, which would be separate from the data pool of actual party Plaintiffs. According to Plaintiffs' counsel, this will allow for quick updates of the uploaded data after documentary corroboration. Once a potential plaintiff has been

vetted by Plaintiffs and filed his or her Short Form Complaint, the Profile Form would be finalized and quickly become part of the actual party Plaintiff data pool. To the extent that a potential plaintiff's allegations are not verified, this data would also be quickly removed from the pool.

At this point, the parties are not requesting a ruling from the Court on this matter. Rather, because this proposed plan affects several upcoming deadlines, the parties jointly request a brief extension in order to continue their discussions in an effort to reach an agreement, if possible. Specifically, the parties request to extend the deadline to submit the Plaintiffs' Profile Form and to file their respective position papers regarding the appropriate case management approach moving forward, given the current caseload. This request is GRANTED, and both the Profile Form and position papers are due by noon Central Time on January 26, 2017.

Additionally, due to a medical emergency involving OPC's 30(b)(6) representative, the deposition previously scheduled for January 26 and 27, 2017 is cancelled. The parties will confer about rescheduling. The previously scheduled deadline for filing the jurisdictional motion to dismiss, along with the response and reply deadlines are all vacated. The parties should submit their new proposed timetable as soon as possible.

DONE and **ORDERED** on this 19th day of January, 2017.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE