

**FILED****MAY 26 2017**

This Order has been prepared and filed by the Court.

**James J. DeLuca, J.S.C.**

JONATHAN YUN,

Plaintiff,

v.

BRISTOL-MYERS SQUIBB COMPANY,  
OTSUKA PHARMACEUTICAL CO.,  
LTD, and OTSUKA AMERICA  
PHARMACEUTICAL, INC.,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – BERGEN COUNTY

DOCKET NO. BER-L-337-16

Consolidated Pursuant to Order of March 18, 2016

**SCHEDULING ORDER AS TO INITIAL  
POOL OF CASES**

**THIS MATTER** having come before the Court for a Case Management Conference on May 25, 2017, pursuant to the Court's Order of March 18, 2016; and the parties having set forth their respective positions as to a case management plan for this consolidated litigation; and the court having considered those positions and the need to coordinate these consolidated actions with the matters pending in the Multi-District Litigation pending in the United States District Court for the Northern District of Florida (MDL No. 2734) before the Honorable M. Casey Rodgers, Chief United States District Judge, and for good cause shown,

**IT IS** on this 26<sup>th</sup> day of **May, 2017, ORDERED** as follows:

1. The following eleven (11) cases are designated as the initial pool of cases to be prepared for trial:

<b>Docket No.</b>	<b>Name of Plaintiff(s)</b>	<b>Represented by:</b>
L-337-16	Yun, Jonathan	Robins Kaplan
L-491-16	Youngman, Zeb & Tammi	Robins Kaplan
L-492-16	Panzo, Kim & Paul	Robins Kaplan
L-494-16	McConnell, John & Yuk	Robins Kaplan

L-498-16	Cavileer, Richard & Martin, Helen	Robins Kaplan
L-527-16	Robins, James M.	Robins Kaplan
L-529-16	Goldblum, Alex	Robins Kaplan
L-531-16	Dill, Karen & John	Robins Kaplan
L-777-16	Parsons, Jr., William J.	Robins Kaplan
L-5945-16	Sayegh, Stephen	Lieff, Cabraser
L-6500-16	Kamenetsky, Randy & Christine	Lieff, Cabraser

In the event any of the initial cases is resolved or dismissed, the court reserves the right to designate or have the parties designate replacement cases for the initial pool of eleven (11).

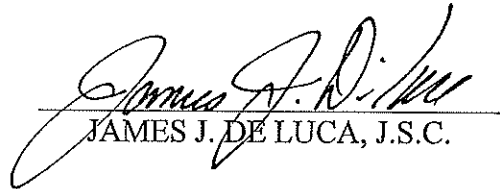
2. The discovery schedule with respect to the initial pool of cases as described in ¶1 is as follows:

<u>EVENT</u>	<u>NJ Phase II</u>
Substantial completion of defendants' document production.	Nov. 17, 2017
Deadline to complete depositions of plaintiffs, their family members, and their treating physicians. <sup>1</sup>	Feb. 9, 2018
Close of fact discovery.	Feb. 28, 2018
Plaintiffs' expert report(s).	Mar. 8, 2018
Defendants' expert report(s).	Apr. 9, 2018
Rebuttal expert report(s).	Apr. 30, 2018
Parties to provide three potential deposition dates for each of their experts.	Apr. 30, 2018

<sup>1</sup> The parties agree that no depositions will occur on the dates of Case Management Conferences or during the *Daubert* hearings on general causation.

Deadline to complete expert depositions.	June 6, 2018
Deadline to file <i>Kemp</i> /dispositive motions.	June 27, 2018
Deadline to file oppositions to <i>Kemp</i> /dispositive motions.	July 11, 2018
Deadline to file replies, if any.	July 18, 2018
Target date for <i>Kemp</i> hearing.	Sept. 6, 2018
Selection of case for trial <sup>2</sup> and additional Scheduling Order. <sup>3</sup>	Sept. 13, 2018
Deadline to file motions <i>in limine</i> for trial case	Sept. 20, 2018
Deadline to file oppositions to motions <i>in limine</i> .	Sept. 27, 2018
Deadline to file replies, if any.	Oct. 3, 2018
Pretrial Conference and First Trial.	Oct. 15, 2018

3. The discovery end date in this consolidated action is hereby extended to June 15, 2018.

  
 JAMES J. DE LUCA, J.S.C.

<sup>2</sup> The trial selection process will be determined by the court at a later date.

<sup>3</sup> The additional Scheduling Order will govern any remaining pretrial events, such deadlines to exchange trial witness and trial exhibits.