

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: LEVAQUIN PRODUCTS
LIABILITY LITIGATION

MDL No. 08-1943 (JRT)

This document also relates to:

PRETRIAL ORDER #9

Schedin v. Johnson and Johnson,
File No. 08-5743

Pursuant to the agreement of the parties it is hereby ORDERED:

1. On or before September 24, 2010 the parties shall exchange witness lists, designations of depositions to be read at trial, and proposed jury questionnaires.
2. On or before October 1, 2010, the parties shall exchange exhibit lists (except demonstrative exhibits), proposed jury instructions, and shall submit an agreed-upon jury questionnaire to the Court, as well as any additional questions for the jury questionnaire that either party would like to submit.
3. On or before October 15, 2010, the parties shall exchange objections to exhibits, counter-designations and objections to deposition testimony. The parties shall also file and serve motions in limine.
4. On or before October 25, 2010, the parties shall file responses to motions in limine.
5. On or before October 29, 2010, the parties shall exchange lists of demonstrative exhibits.

6. The Court shall hold a final pretrial conference on November 3, 2010 at 2:00 o'clock p.m.
7. Trial shall commence on November 15, 2010 at 9:00 o'clock.
8. Trial days shall run from approximately 9:00 am until noon and from 1:00 pm until 4:30 pm. A total of 66 hours of trial time shall be available to the parties for this case. Plaintiff shall have 35 hours of trial time; Defendant shall have 31 hours of trial time. Trial time shall be allocated for direct examination, including deposition designations, and cross examination, including deposition designations.
9. The parties shall exchange proposed voir dire questions on or before November 1, 2010, and submit proposed voir dire questions to the Court on or before November 5, 2010.
10. Each party shall have one hour for opening statements.

DATED: September 17, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge