

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gary Selinsky,
Robert M. Zwayer
Michael A. Dubaich,
Donald J. Nelsen
Larry Webb
Timothy G. Harms
Timothy L. Estep
Mary Conway
Dennis M. Scharpen
Gary E. Charbonneau
Todd R. Cain
Manuel A. Quintela
Thaddeus R. Fayard
Hylton H. Dodd
Michael W. Averitt

Civil No. 06-873 JMR/FLN
Civil No. 06-874 JMR/FLN
Civil No. 06-875 JMR/FLN
Civil No. 06-876 JMR/FLN
Civil No. 06-898 JMR/FLN
Civil No. 06-899 JMR/FLN
Civil No. 06-900 JMR/FLN
Civil No. 06-901 JMR/FLN
Civil No. 06-1206 JMR/FLN
Civil No. 06-1215 JMR/FLN
Civil No. 06-1582 JMR/FLN
Civil No. 06-1675 JMR/FLN
Civil No. 06-2144 JMR/FLN
Civil No. 06-2145 JMR/FLN
Civil No. 06-2194 JMR/FLN

Plaintiffs,

v.

ORDER

Boehringer Ingelheim Pharmaceuticals, Inc.,
Pfizer Inc., Pharmacia Corporation, and Pharmacia
& Upjohn Company LLC,

Defendants.

Tara Sutton and Gary Wilson for Plaintiffs
Peter Goss and Michael Brown for Defendant Pfizer
Tracy Van Steenburgh and Beth Rose for Defendant Boehringer Ingelheim Pharmaceuticals

THIS MATTER came before the undersigned United States Magistrate Judge on April 9, 2007, on Plaintiffs' motion for enforcement of the March 7, 2007 Order [#161].

Based on all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiffs' motion for enforcement of the March 7, 2007 Order [#161] is **GRANTED** in part and **DENIED** in part as follows:

1. To the extent that Plaintiffs seek Boehringer Ingelheim Pharmaceuticals, Inc. (“BIPI”) to produce documents that have been transferred by the Defendants to Germany, the motion is **GRANTED**. These documents must be made available in the United States no later than May 1, 2007.
2. To the extent that Plaintiffs seek the production of documents pertaining to Monford Piercey and the scientists listed on the patent application, the motion is **GRANTED**. Defendants shall produce these documents no later than May 1, 2007.
3. To the extent that Plaintiffs seek the production of outstanding case report forms and adverse event report forms, the motion is **GRANTED**. Defendants shall produce these documents no later than May 1, 2007.
4. To the extent that Plaintiffs seek Defendants to identify any documents, subject to this Order, that have been destroyed, the motion is **DENIED**. The Defendants have represented that no documents have been destroyed.
5. To the extent that Plaintiffs seek prospective sanctions for a failure to abide by this Order, the motion is **DENIED** as premature.

DATED: April 11, 2007

s/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge