

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

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: IN RE: MDL DOCKET NO. 1724
: VIAGRA PRODUCTS LIABILITY : Judge Paul A. Magnuson
LITIGATION :
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This Document Relates To: :
Martin v. Pfizer Inc., 06-cv-1064 :
Stanley v. Pfizer Inc., 06-cv-1065 :
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**STIPULATION AND ORDER FOR AMENDMENT OF
SCHEDULING ORDER FOR PHASE II DISCOVERY**

WHEREAS, on January 24, 2007, the Court issued an order setting a schedule for Phase II of discovery (“Phase II Scheduling Order”);

WHEREAS, on July 1, 2008, the Court issued an Order extending the deadline for case-specific fact discovery in the Minnesota Plaintiffs’ cases to October 2, 2008;

WHEREAS, the plaintiffs have requested an extension of time of the remaining deadlines in the Phase II Scheduling Order;

WHEREAS, defendant has agreed to the following provisions subject to the approval of the Court;

IT IS HEREBY ORDERED that the deadlines set forth in the Phase II Scheduling Order entered January 24, 2007, are amended as follows:

1. The parties agree that all fact discovery of Pfizer and of the Minnesota Plaintiffs is now completed, and neither party will seek to re-open fact discovery;
2. Counsel stipulate that they are authorized to accept service of any subpoenas for their experts as designated herein. No objection to service of a subpoena will be made if the subpoena is served on lead or liaison counsel for the party on whose behalf the expert is designated.
3. Should plaintiffs seek to submit any case-specific expert report from Dr. Gerald McGwin, said report shall be served on counsel for defendant by November 17, 2008.
4. Plaintiffs shall identify all liability and case-specific experts, and provide copies of each expert's curriculum vitae, to counsel for defendants by November 17, 2008.
5. Expert reports for any experts identified pursuant to paragraph 4 are to be served no later than November 28, 2008.
6. The deposition of Dr. Gerald McGwin shall take place on December 11, 2008.
7. On November 28, 2008, plaintiffs' counsel shall provide proposed deposition dates for each of their experts (other than Dr. McGwin), to take place on a weekday between January 5 and January 23, 2009.
8. Defendant's liability and case-specific expert reports are to be served no later than December 22, 2008. On that date, defendant's counsel shall provide

deposition dates for each of their experts, to take place on a weekday between January 23, 2009 and February 16, 2009.

9. Expert discovery shall be completed by February 16, 2009.
10. Any dispositive motions are to be filed by February 27, 2009. Opposition briefs are to be filed by March 13, 2009; reply briefs are to be filed by March 20, 2009.
11. Additional deadlines, including in limine motions, exchange of witness and exhibit lists, and a final pre-trial conference shall be scheduled by March 20, 2009.

Dated: Friday, November 14, 2008

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge

Approved:

ZIMMERMAN REED, PLLP

By: s/ Robert R. Hopper
Ronald S. Goldser
Robert R. Hopper
651 Nicollet Mall, Suite 501
Minneapolis, MN 55402
612-341-0400
rsg@zimmreed.com
rrh@zimmreed.com

Plaintiffs' Liaison Counsel

Daniel E. Becnel, Jr.
Law Offices of Daniel E. Becnel, Jr.
106 W. 7th Street
PO Drawer H
Reserve, LA 70084
985-536-1186
dbecnel@becnellaw.com

Plaintiffs' Lead Counsel

OPPENHEIMER WOLFF & DONNELLY LLP

By: s/ David P. Graham

William P. Studer, Esq.	#106781
David P. Graham, Esq.	#185462
Stacey L. Drentlaw, Esq.	#285201
Heather N. Hoecke, Esq.	#310621

3300 Plaza VII Building
45 South Seventh Street
Minneapolis, MN 55402
Telephone: (612) 607-7000
Facsimile: (612) 607-7100

Defendant's Liaison Counsel

Lori B. Leskin
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022
Telephone: (212) 836-8000

Defendants' Lead Counsel