

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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IN RE BAYCOL PRODUCTS
LIABILITY LITIGATION

) MDL No. 1431
) (MJD)
)

CLERK, U.S. DIST. COURT
MINNEAPOLIS, MN

This Document Relates to All Actions
in Which a Plaintiff is Proceeding *Pro Se*

) Pretrial Order No. 151
)

The PSC has provided certain work product to *pro se* plaintiffs, who may not fully appreciate the ordinary procedures for protecting the confidentiality of such material. It is therefore ordered:

1. If, during a deposition, a *pro se* plaintiff relies upon a PSC document or documents and makes clear that the document(s) are PSC work product, the plaintiff shall – in the presence of deposing defense counsel – place the document(s) in a sealed envelope and, at the close of the deposition, send the document(s) to the PSC care of Yvonne Flaherty at the following address:

Yvonne Flaherty
Lockridge Grindal Nauen, PLLP
100 Washington Avenue South
Suite 2200
Minneapolis, MN 55401

Ms. Flaherty will telephone national counsel for Bayer (Susan Weber) and GSK (Fred Magaziner) to meet and confer regarding appropriate disposition of the document(s).

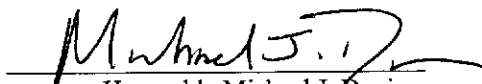
2. If, during a deposition, a *pro se* plaintiff has produced a document or documents to deposing defense counsel, and the document or documents reasonably appear to be PSC work product, deposing defense counsel shall – in the presence of the *pro se* plaintiff – place the document(s) in a sealed envelope and, at the close of the deposition, send the document(s) to the PSC care of Yvonne Flaherty at the address above. Ms. Flaherty will telephone national counsel for Bayer (Susan Weber) and GSK (Fred Magaziner) to meet and confer regarding appropriate disposition of the document(s).

3. Pursuant to either paragraph 1 or 2, deposing defense counsel will immediately call their national defense counsel (Susan Weber or Fred Magaziner) to advise of events at the deposition. National defense counsel will call PSC counsel (Yvonne Flaherty) to alert the PSC that possible work product materials are being transmitted pursuant to the procedures set forth herein.

4. If counsel for PSC and national defense counsel cannot agree on appropriate disposition of the documents, the matter will be referred to a magistrate.

5. Nothing in this order is intended or shall be construed to confer confidentiality on or work product protection for any document, or to waive confidentiality or work product protection for any document.

June 15, 2006


Honorable Michael J. Davis
United States District Judge

SCANNED
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U.S. DISTRICT COURT MF