



MD 01 01407 00001312

HONORABLE BARBARA J. ROTHSTEIN

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

FILED
ENTERED
RECEIVED
JAN 2 2003
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FILED
ENTERED
LODGED
RECEIVED
JAN 0 2003
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY [Signature]

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE Phenylpropanolamine (PPA) Products)
Liability Litigation) No. MDL 1407

-----)
This document relates to:) STIPULATION AND ORDER RE
All actions) MODIFIED SCHEDULE FOR EXPERT
DISCOVERY AND DAUBERT
BRIEFING

STIPULATION

COME now the parties, by and through their respective attorneys, and hereby stipulate as follows:

1. Defendants' deadline to designate generic experts will be extended from January 3 to January 10, 2003. On January 10, 2003 defendants will also make a good faith attempt to provide two alternate dates for the deposition of each of defendants' experts disclosed on that date. This extension does not alter any separate agreements with the appropriate plaintiffs' counsel to set later dates for experts on cardiac injuries (February 7, 2003), regulatory/warnings issues (January 27, 2003), and psychosis (deferred because not of widespread applicability).

ORDER RE MODIFIED SCHEDULE FOR EXPERT
DISCOVERY AND DAUBERT BRIEFING - 1
Case No. MDL 1407
019186.0028.957081v1

LANE POWELL SPEARS LUBERSKY LLP
SUITE 4100
1420 FIFTH AVENUE
SEATTLE, WA 98101
(206) 223-7000

cc: counsel: BJR

1312

1 2. Plaintiffs' deadline for deposing defendants' generic experts will be extended by
2 one week to March 10, 2003.

3 3. The deadlines for *Daubert* briefs will be extended by one week for opening,
4 opposition, and reply briefs. The new due dates for the *Daubert* briefs are as follows:

5 Defendants' opening brief: February 10, 2003

6 Plaintiffs' response brief: March 12, 2003

7 Defendants' reply brief: March 24^{PIE} 2003 at 11:00 a.m.

8 Dated this 2 day of January, 2003.

9
10 LOPEZ, HODES, RESTAINO,
11 MILMAN & SKIKOS

LANE POWELL SPEARS LUBERSKY LLP

12 By David L. Suggs
13 David L. Suggs
14 On behalf of the PPA Plaintiffs

12 By D. Joseph Hurson
13 D. Joseph Hurson
14 WSBA No. 09296
15 Co-Liaison Counsel for the PPA
16 Manufacturer-Defendants

17 **ORDER**

18 It is so ordered this 6th day of January, 2003.

19 Barbara Jacobs Rothstein
20 HONORABLE BARBARA JACOBS ROTHSTEIN

21 Presented by:

22 LANE POWELL SPEARS LUBERSKY LLP

23 By D. Joseph Hurson
24 D. Joseph Hurson, WSBA No. 09296
25 Co-Liaison Counsel for the PPA Manufacturer-
26 Defendants

ORDER RE MODIFIED SCHEDULE FOR EXPERT
DISCOVERY AND DAUBERT BRIEFING - 2
Case No. MDL 1407

019186.0028/957081v1

LANE POWELL SPEARS LUBERSKY LLP
SUITE 4100
1420 FIFTH AVENUE
SEATTLE, WA 98101
(206) 223-7000