

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: ABILIFY (ARIPRAZOLE)
PRODUCTS LIABILITY
LITIGATION

Case No. 3:16-md-2734

Chief Judge M. Casey Rodgers
Magistrate Judge Gary Jones

This Document Relates to All Cases

CASE MANAGEMENT ORDER NO. 9

The Court held the Ninth Case Management Conference in this matter on September 28, 2017. This Order serves as a non-exhaustive recitation of the key points of discussion between the Court and counsel at the conference.

I. Trial Dates

Although trials in the pool cases are presently scheduled to begin in June 2018, the Court recognizes this may not be feasible for the parties, at this juncture, given an ambitious discovery schedule. Accordingly, the Court presented the following alternative trial date options to the parties: (1) June and July of 2018, (2) June and August of 2018, (3) July and August of 2018, (4) July and September of 2018, (5) August and September of 2018, and (6) August and October of 2018. The parties are to meet and confer and notify the Court of their preference by October 5, 2017 at 5:00 PM (CDT).

II. Discovery Conference Calls

In order to facilitate discovery, the Court will conduct discovery conference calls with the parties in accordance with the following schedule:

- (1) October 11, 2017 at 2:30 PM;
- (2) Immediately following the Tenth Case Management Conference scheduled for October 27, 2017;
- (3) During the week of November 6, 2017;
- (4) November 21, 2017 at 1:00 PM;
- (5) During the week of December 4, 2017; and
- (6) During the week of December 18, 2017.¹

III. Pre-Conference Meetings

The Court will hold pre-conference meetings in conjunction with all case management conferences going forward. As discussed during the Conference, only Messrs. Gary Wilson, Bryan Alystock, and Kristian Rasmussen, for Plaintiffs, and Messrs. Larry Hill, Anand Agneshwar, Matthew Campbell, and Luke Connelly, for Defendants, are permitted to participate in pre-conference meetings. To the extent

¹ For discovery conference calls scheduled during the weeks of November 6, 2017, December 4, 2017, and December 18, 2017, the undersigned will only be able to participate in the discovery conference calls to the extent they are scheduled before 8:00 AM, between 12:30 PM and 1:30 PM, or after 5:30 PM. Also, the Court proposes that instead of the week of December 18, a discovery conference be held in conjunction with the Eleventh Case Management Conference on December 14th.

parties wish to substitute counsel for these meetings, counsel must seek leave of Court in advance.

IV. Remaining Issues and Upcoming Conferences

The parties are directed to simultaneously exchange Rule 26 Initial Disclosures by close of business on October 11, 2017. Plaintiffs' counsel will identify five custodians by October 2, 2017 at 12:00 PM for whom they would like priority document production. Judge Jones will issue an order pertaining to the time, method, and manner of Defendants' privilege logs. The parties are encouraged to continue meeting and conferring regarding disputed issues so long as the meetings do not inject delay into the schedule.

Additionally, the documents stored at RecordTrak will be uploaded to MDL Centrality. Also, there is no longer any outstanding issue related to Defendants' Patient Assistance Program.

The Tenth Case Management Conference remains scheduled for October 27, 2017 at 1:00 PM. The Eleventh Case Management Conference will take place on December 14, 2017 at 8:30 AM (EST) in Washington, D.C. The Court will notify the parties of logistical details for this case management conference in the near future.

DONE and **ORDERED** on this 29th day of September, 2017.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE