

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

IN RE: ABILIFY (ARIPIRAZOLE)
PRODUCTS LIABILITY LITIGATION

This Document Relates to All Cases.

Master File No. 3:16-md-2734

Chief Judge M. Casey Rodgers
Magistrate Judge Gary Jones

**STIPULATED ORDER REGARDING DEFENDANTS' PRODUCTION OF
CLINICAL DATA AND THE PARTIES' BIostatistician EXPERT
REPORTS**

The below memorializes the parties' agreement regarding Defendants' production of clinical data and the timing of Plaintiffs and Defendants' biostatistician expert reports that rely on such clinical data.

WHEREAS, Defendants anticipate completing their production of the NDA and IND submissions for other Abilify formulations by May 3, 2017;

WHEREAS, Plaintiffs anticipate that their expert biostatistician will need a minimum of two weeks to review and analyze such clinical data, including the related ISS and SAS datasets, in order to prepare an expert report in this case;

The Parties HEREBY agree to the following:

1. Defendants agree to provide a list of all human clinical trials for all forms of Abilify by May 3, 2017, and written confirmation that they have searched for and produced all available clinical data (including integrated summary pooled

data, SAS datasets, and clinical study reports) for those trials. If Defendants are unable to locate any such data, they will identify by May 3, 2017 the clinical studies for which such data was not found.

2. The parties agree that for any clinical study for which such data was not produced by May 3, 2017, Defendants' experts will not rely on said unproduced data and Defendants will not object to Plaintiffs' experts relying on the produced data or data formats.

3. Given that the clinical data described herein will be produced after the current April 20, 2017, deadline for Plaintiffs' general causation expert reports, the parties agree that Defendants and Plaintiffs may each have one (1) biostatistician expert that abides by the following schedule:¹

- a. By **May 17, 2017** or two weeks after Defendants produce the aforementioned clinical data, whichever is later, Plaintiffs will serve the expert report of their biostatistician providing any opinions and/or analyses that rely upon aripiprazole clinical trial data produced in this case.

¹ This stipulated biostatistician expert discovery schedule will not affect the previously-scheduled deadlines to file general causation and/or *Daubert* motions or the date of the general causation hearing.

- b. By **June 5, 2017**, Defendants will serve the expert report of their biostatistician responding to and/or rebutting the expert report of Plaintiffs' biostatistician described in Paragraph 3.a. above.
- c. By **June 15, 2017**, Plaintiffs will serve any rebuttal expert report by their biostatistician responding to the expert report of Defendants' biostatistician described in Paragraph 3.b. above.
- d. On **June 21, 2017**, Plaintiffs will make their biostatistician expert available for deposition at a time and place to be agreed to by the parties.

DONE AND ORDERED on this 19th day of April, 2017.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE