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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

IN RE: ACTOS® (PIOGLITAZONE)
PRODUCTS LIABILITY LITIGATION

MDL No. 6:11-md-2299

JUDGE DOHERTY

This Document Applies To:
All Cases

MAGISTRATE JUDGE HANNA

**ORDER REGARDING PROTOCOL INVOLVING DISPUTES
BEFORE OTHER UNITED STATES DISTRICT COURTS
CONCERNING ENFORCEMENT OF SUBPOENAS**

The Court, having been made aware of issues concerning objections to, or enforcement of, certain Rule 45 subpoenas issued by other United States District Courts, hereby ORDERS as follows:

In the event that a Party to the above-captioned litigation pursues an enforcement action in the district where the subpoena was issued; the Party seeking to enforce compliance with the subpoena is directed by this Court to reference this Order in its own filing made in the district where the subpoena was issued, and attach a copy of this Order to said filing. The purpose of this Order is to ensure that any District Court where a Party to the Actos (Pioglitazone) Products Liability Litigation seeks to enforce a subpoena issued by that Court is informed that:

1. The subpoena in dispute was issued in connection with the cases comprising the Actos (Pioglitazone) Products Liability Litigation consolidated for pretrial purposes in this Court by Order of the Judicial Panel on Multidistrict Litigation dated December 29, 2011.
2. The discovery disputes that arise in connection with the Actos (Pioglitazone) Products Liability Litigation involve complex issues whose resolution by various district courts risks inconsistent results and frustration of the goals of judicial economy and efficiency served by consolidation for pretrial purposes.
3. This Court is not only willing but prefers to hear and resolve all discovery disputes that arise in any other United States District in connection with the Actos (Pioglitazone)

Products Liability Litigation. This Court can accomplish this in accordance with the provisions of Rule 45(f), through its authority as a transferee court under 28 U.S.C. § 1407, or by working cooperatively and in conjunction with the District Court in which any discovery dispute involving a non-party was issued. *See e.g., United States, ex rel. A. Scott Pogue v. Diabetes Treatment Centers of America, Inc., et al.*, 238 F.Supp.2d 270 (D.C. 2002) (discussing the authority of transferor courts in connection with non-party discovery disputes in other districts).

4. This Court respectfully requests that District Courts faced with discovery disputes related to the Actos (Pioglitazone) Products Liability Litigation consider referring such disputes to the undersigned for handling and resolution.

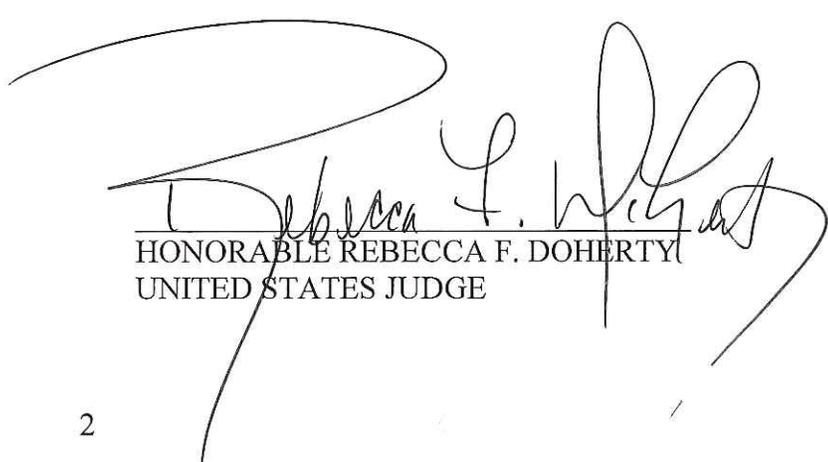
5. Questions regarding this request maybe directed to the undersigned either at the United States District Courthouse, 800 Lafayette Street, Suite 4900, Lafayette, LA, 70501 or by telephone to chambers at (337) 593-5050.

6. This Court will make every effort to prevent undue hardship to non-parties in other districts and their counsel, including the avoidance of unnecessary travel and expense, and will make every effort to resolve disputes by telephone whenever possible.

7. The Actos (Pioglitazone) Products Liability Litigation is a priority matter for this Court and, as such, the Court is committed to addressing discovery disputes related thereto as expeditiously as possible in light of the aggressive discovery schedule and settlement posture of this matter.

IT IS SO ORDERED.

THUS DONE AND SIGNED at Lafayette, Louisiana this 16 day of December, 2015.


HONORABLE REBECCA F. DOHERTY
UNITED STATES JUDGE