

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

In Re: Actos (Pioglitazone) Products Liability Litigation	*	
	*	MDL No. 6:11-md-2299
	*	
	*	JUDGE DOHERTY
	*	
This Document Applies to:	*	MAGISTRATE JUDGE HANNA
All Cases	*	
	*	

ORDER

The **initial status conference** in the above-referenced matter will be conducted on **March 22, 2012 at 9:45 a.m.** CST in open court in Judge Doherty's courtroom, 4th Floor John M. Shaw Courthouse, Lafayette, Louisiana. All counsel designated or intending to be designated as Trial Counsel¹ in the MDL, whether within a direct filing or Conditional Transfer Order, must attend along with local counsel, if any. At least one attorney for each party must be present, unless the Court orders otherwise upon written request. An attorney may represent more than one party. All other counsel may attend. Parties not represented by counsel may appear in proper person.

In advance of the conference, this Court issues the following ORDERS and notes all required submissions and suggestions are to be emailed to hanna_mdj_orders@lawd.uscourts.gov no later than March 1, 2012, 4:30 p.m. CST:

Declaration of Body of Governing Law and Medical Status of Party

Each counsel representing a party or parties shall file a one-sentence declaration as to what

¹ Local Rule 11.2 requires designation as Trial Counsel.

body of law applies to the claims of each party they represent (e.g., California products liability law, New Hampshire products liability law). The foregoing declaration(s) shall be prepared jointly, that is, plaintiff's counsel and defense counsel shall confer to produce the one-sentence declaration. If there is dispute as to what *body of law* governs a claim, the **one-sentence declaration** shall note that dispute (e.g., plaintiff asserts Connecticut products liability law governs lawsuits ABC; defendant asserts New Hampshire products liability law governs lawsuits ABC; plaintiff and defendant agree Connecticut law applies to lawsuits XYZ).

Additionally, each enrolled plaintiff's counsel shall submit a one-sentence declaration describing the medical status of each client represented who is before this Court (e.g., is deceased; has been diagnosed with cancer; has fear of developing cancer, etc.).

Steering Committee, Lead Counsel, Liaison Counsel

Any counsel who is interested in serving on a committee or serving as a lead counsel or liaison counsel shall submit the following (2 page limit for entire submission):

- resumé
- the number of clients the attorney or his or her firm represents in the Actos litigation in federal court and the number of clients the attorney or his or her firm represents in the Actos litigation(s) in state court(s) and what body of law applies to each lawsuit
- experience handling mass tort cases or other MDLs
- experience as a committee member in mass tort cases or other MDLs
- any other quality(ies) the Court should consider
- fee proposals and/or rates of pay to be sought for work subject to the Common Benefit Fund (this does not request fee schedules entered into with individual clients)

Appointment of committees and lead and liaison counsel will be determined by the Court after full consideration of all information received and after the initial status conference.

Special Masters

Notice is hereby given this Court anticipates using one or more Special Master(s). Any party, through counsel, wishing to make a suggestion for a candidate may make that suggestion no later than March 1, 2012, 4:30 p.m. CST, by emailing the suggestion to hanna_mdl_orders@lawd.uscourts.gov. The attorney or party making a suggestion should provide this Court with sufficient information for the Court to make a meaningful review and decision, however, the submission can be no more than 2 pages in length.

Suggestions for Agenda

Any party or attorney wishing to make a suggestion for inclusion on the Agenda for the initial status conference may submit suggestions (no more than one page) for the Agenda by emailing those suggestions to hanna_mdl_orders@lawd.uscourts.gov.

Discovery

Counsel shall come to the conference prepared to discuss discovery as it relates to the progression of the case.

Matters of Recusal

Each counsel enrolled is reminded of Rule 7.1 of the Federal Rules of Civil Procedure. Parties are reminded and it is ORDERED that counsel shall immediately comply and keep such lists current for the duration of this litigation.

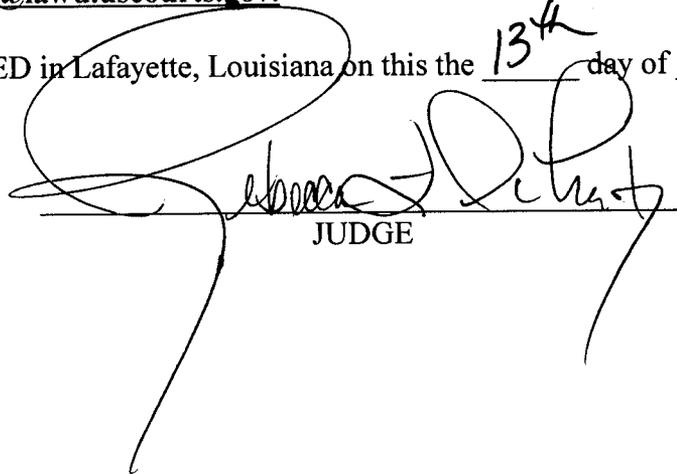
Contact Information

Counsel are also reminded Local Rule 11.1 of the Western District requires “[e]ach attorney and pro se litigant has a continuing obligation to apprise the court of any address change.” Thus, all enrolled counsel are ORDERED to verify their contact information with the Clerk of Court and

reminded they must keep the Clerk of Court appropriately apprised of any changes in contact information. **Failure to do so places counsel at risk of having waived his or her right to participate in any interaction with the Court when they cannot be reached.**

Reminder: Any submission or suggestion referenced in this Order is to be submitted no later than March 1, 2012, 4:30 p.m. CST, by emailing the submission or suggestion to hanna_mdj_orders@lawd.uscourts.gov.

SO ORDERED in Lafayette, Louisiana on this the 13th day of February, 2012.



JUDGE