


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JAN 16 2014 

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA

| | | |
|--|---|------------------------|
| IN RE: ACTOS (PIOGLITAZONE) |) | MDL No. 6:11-md-2299 |
| PRODUCTS LIABILITY LITIGATION |) | |
| |) | |
| This Document Applies to: |) | Judge Doherty |
| <i>Allen et. al. v. Takeda Pharmaceuticals</i> |) | |
| <i>North America, Inc., et. al.;</i> |) | |
| Case No. 6:12-cv-00064-RFD-PJH |) | Magistrate Judge Hanna |
| |) | |

STIPULATION

Terrence Allen and Susan Allen through their attorney Paul J. Pennock and the Plaintiffs' Steering Committee (PSC) and Takeda Pharmaceutical Company Limited, Takeda Pharmaceuticals U.S.A., Inc., Takeda Development Center Americas, Inc., Takeda Pharmaceuticals International, Inc., Takeda California, Inc., and Takeda Pharmaceuticals, L.L.C. (collectively "Takeda") through counsel do hereby enter into the following stipulation:

1. The parties have agreed that for all purposes in this trial only that all of the Takeda entities will be considered one juridical entity that will be collectively referred to as "Takeda" and that the conduct including any acts and omissions (if any) of any Takeda entity are imputed to Takeda Pharmaceutical Company Limited and Takeda Pharmaceuticals U.S.A., Inc. Thus, "Takeda" will be listed on the Verdict Form only and that any verdict against "Takeda" shall mean that judgment shall be entered against Takeda Pharmaceutical Company Limited and Takeda Pharmaceuticals U.S.A. jointly and severally.
2. Notwithstanding the foregoing Takeda reserves the right to challenge any claim or verdict for damages by any means of defense available to Takeda including without limitation insufficiency of evidence, motion for directed verdict/judgment

as a matter of law, or motion for judgment notwithstanding the verdict and/or appeal.

3. No party waives the right to assert on appeal that the evidence is insufficient to support a jury verdict as to that party.

4. As part of this stipulation, the Allen Plaintiffs' agree that they shall forego the discovery depositions of any and all ^{UN-NAMED} corporate representatives of the Takeda entities and will withdraw said motions and subpoenas. Furthermore, Takeda will not be required to produce ^{UN-NAMED} corporate representatives at trial or for testimony in any manner. The PSC also agrees that Yasuchika Hasegawa will not appear either live or by video at the Allen trial and specifically withdraws Yasuchika Hasegawa as a witness in the Allen case. With respect to Mr. Hasegawa, both parties reserve their rights to use and/or object to the use of the deposition of Mr. Hasegawa that may be given in connection with the Illinois litigation and/or the MDL. Specifically, Takeda does not waive any objections that may be available with respect to Mr. Hasegawa being deposed and his testimony being used in any future litigation including the Chiody case.

5. Notwithstanding the foregoing, the PSC reserves the right to call any other individual witnesses listed by the PSC in the Pretrial Order but defendants' maintain their objections as stated in the pretrial order. All rights and defenses of the parties as to any other proposed witnesses and the compelling of their testimony in any form or manner are hereby specifically reserved.


6. Takeda waives any statute of limitations defense as to any of plaintiffs' claims in the Allen case only.

Handwritten initials and scribbles on the left margin, including a large 'Z' shape and several illegible signatures.

IT IS SO STIPULATED.

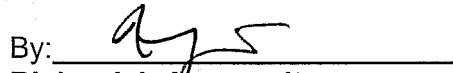
Dated: 1/15/14

Terrence Allen and Susan Allen

By: 

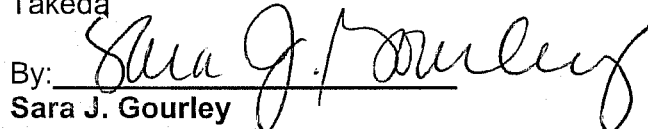
Paul J. Pennock

Plaintiffs' Steering Committee (PSC)

By: 

Richard J. Arsenault

Takeda

By: 

Sara J. Gourley