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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

CASE NO. M:05-CV-01699-CRB
MDL No. 1699

This Order Relates to:
ALL CASES.

**PRETRIAL ORDER NO. 13: REVISED
AUTHORIZATIONS FOR RELEASE OF
MEDICAL AND OTHER RECORDS**

1. Order Applicable to All Product Liability Plaintiffs in MDL Proceedings.

This Order shall apply to all Plaintiffs who allegedly suffered personal injury from taking Bextra® and/or Celebrex® in cases currently pending in MDL No. 1699 (“the product liability actions”) and to all related product liability actions that have been or will be originally filed in, transferred to, or removed to this Court and assigned thereto (collectively, “the MDL proceedings”). This Order is binding on all parties and their counsel in all product liability cases currently pending or subsequently made part of these proceedings. This Order shall not apply to those plaintiffs who are asserting exclusively purchase claims in these proceedings.

2. Revised Authorizations for Release of Medical and Other Records.

Plaintiffs’ Liaison Counsel and Defendants’ Liaison Counsel have met and conferred regarding the authorizations for the release of medical and other records adopted by the Court pursuant to

1 paragraphs 3(a) and 3(b) of Pretrial Order No. 6 and Pretrial Order No. 9. As a result of those
2 discussions, the parties have agreed to revise the language in the authorizations pertaining to the
3 release of medical and employment records. The following revised authorizations are attached
4 hereto:

<u>Attachment</u>	<u>Authorization</u>
5 A	Authorization for the Release of Medical Records (No Psychological Injury Asserted)
6 B	Authorization for the Release of Medical Records (Psychological Injury Asserted)
7 C	Authorization for the Release of Employment Records (No Wage Loss Asserted)
8 D	Authorization for the Release of Employment Records (Wage Loss Asserted)

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12 3. Use of Revised Authorizations. Any plaintiff who has not provided the
13 fully complete authorizations required by Pretrial Order No. 6 and Pretrial Order No. 9 to
14 Defendants' Counsel as of the date of this Order shall instead provide the revised authorizations
15 contained herein, pursuant to the provisions of Pretrial Order No. 6. Moreover, if a custodian
16 requires a newly-signed authorization for any plaintiff pursuant to paragraph 3(c) of Pretrial
17 Order No. 6, such plaintiff shall provide the revised authorizations contained herein.

18 4. No Other Amendment to Pretrial Order Nos. 6 and 9. This Order shall not
19 be construed to amend any other provision of Pretrial Order Nos. 6 and 9.

20 **IT IS SO ORDERED.**

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22 Dated: June 13, 2006

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/s/
HONORABLE CHARLES R. BREYER
24 UNITED STATES DISTRICT JUDGE
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