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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. 19: NOTICES OF
DEPOSITIONS OF PFIZER WITNESSES**

1. Order Applicable to All Cases in MDL Proceedings. This Order shall apply to all cases currently pending in MDL No. 1699 and to all related 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 cases currently pending or subsequently made a part of these proceedings and shall govern each case in the proceedings unless it explicitly states that it relates only to specific cases.

2. Order Applicable to Depositions of Pfizer Witnesses. This Order shall apply to depositions of any witnesses currently or formerly affiliated with Defendants Pfizer Inc., Pharmacia & Upjohn Co. LLC, Pharmacia Corporation, and/or G.D. Searle LLC (formerly known as G.D. Searle & Co.), together with their affiliated entities (collectively, “the Pfizer Entities”).

3. Depositions Notices Must Be Served At Least Twenty-Two Days in Advance. Plaintiffs’ Liaison Counsel shall notice depositions of witnesses currently or formerly

1 affiliated with the Pfizer Entities as soon as practicable after Liaison Counsel agree to dates and
2 locations for the depositions, but in no event shall a notice be issued less than twenty-two days
3 before the deposition is set to occur. Where the twenty-second day falls on a weekend or court
4 holiday, the deposition must be noticed on the court business day immediately before the holiday
5 or weekend. Notwithstanding Pretrial Order No. 2, paragraph 6, Plaintiffs' Liaison Counsel may
6 notice and serve such depositions via ECF.

7 4. Notice of Examiners. At least three business days prior to the deposition,
8 Plaintiffs' Liaison Counsel shall notify Defendants' Liaison Counsel of the plaintiffs' examiners
9 designated pursuant to Pretrial Order No. 15. If unforeseen circumstances require an examiner to
10 change after Defendants' Liaison Counsel has been notified, Plaintiffs' Liaison Counsel must
11 notify Defendants' Liaison Counsel of the change immediately. Such a change alone shall not be
12 cause for postponing the deposition.

13 5. Notice of Intent to Attend a Deposition. In order for Defendants' Liaison
14 Counsel to make arrangements for adequate deposition space and to notify building security,
15 counsel who intend to attend the deposition of a witness currently or formerly affiliated with the
16 Pfizer Entities noticed in this MDL shall advise Plaintiffs' Liaison Counsel not fewer than three
17 business days prior to the deposition. Plaintiffs' Liaison Counsel shall promptly pass this
18 information along to Defendants' Liaison Counsel.

19 **IT IS SO ORDERED.**

20
21 Dated: December _____, 2006

22 _____
23 HONORABLE CHARLES R. BREYER
24 UNITED STATES DISTRICT JUDGE