

OCT 14 2009

Carol E. Higbee, P.J.Cv.

In Re: FOSAMAX Litigation

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY

Civil Action Case No. 282
(Fosamax Litigation)

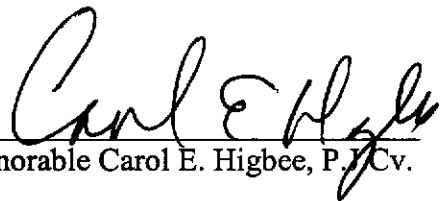
APPLIES TO ALL CASES

CASE MANAGEMENT ORDER

This matter having come before the Honorable Carol E. Higbee, P.J.Civ. during a telephonic conference with Eileen Oakes Muskett, Esquire of Cooper Levenson and David J. Heubeck, Esquire of Venable on behalf of defendant and Jeffrey Grand, Esquire of Seeger Weiss on behalf of plaintiffs on October 13, 2009 for the resolution of issues concerning the content of the Core Discovery Order,

It is hereby **ORDERED** on this 14 day of October, 2009 as follows:

1. The number of cases to be worked up for full discovery shall be reduced to 10 cases, with plaintiffs retaining five (5) cases from the cases they previously designated pursuant to the Courts' July 20, 2009 Case Management Order and defendant retaining five (5) cases from the cases it previously designated pursuant to that Order. On or before 10/15/09, Defendant's Liaison Counsel and Plaintiffs' Liaison Counsel shall each notify the other and the Court of the names of the cases that are being eliminated from their prior designations so that each side has no more than five remaining cases designated for full discovery.
2. The deadline for completion of fact discovery in the remaining 10 discovery pool cases shall be extended until January 15, 2009.
3. The Court is separately entering an order that will govern the conduct of core discovery in the remaining 10 discovery pool cases.


Honorable Carol E. Higbee, P.J.Cv.