

In Re: Singulair ® Litigation

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY
MCL 637

MASTER DOCKET NO. ATL-L-481-22

CASE MANAGEMENT ORDER #12
[Bellwether Discovery Protocols]

THIS MATTER, having been opened to the Court, and the Parties having consented to the form and entry of the within Case Management Order (CMO 12) to address the process of bellwether discovery pool protocols, and good cause appearing:

IT IS on this 27th day of March 2024, ORDERED as follows:

1) **Authorization Procedure**

- a) Plaintiffs must provide executed proprietary authorizations within 10 days of request and authorization should be afforded absent good cause, which Plaintiffs should communicate to Defendants promptly.
- b) Plaintiffs must respond to requests to use the general authorization for providers not identified in the Plaintiff Fact Sheet within seven days of request. If Plaintiffs fail to respond to this request within the allotted time, Defendants may use the general authorization for the identified provider.

2) **Plaintiffs and Parents Depositions**

- a) Plaintiffs must provide dates for the depositions of either a Plaintiff or the parents/guardians of a Plaintiff within two weeks of a written request. All dates provided must occur on business days.

b) If appropriate dates are not provided within two weeks of the request, Defendants may unilaterally select the date for each requested deposition and the requested deponent shall be produced on that date.

3) **Treating Medical Provider Depositions:**

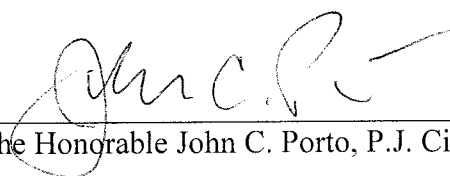
a) Plaintiff(s) must identify which treating physician Plaintiff wishes to depose within three weeks of Defendants identifying which treating physician they intend to depose.

b) Plaintiff's failure to identify a treating physician within this three-week period constitutes a waiver of plaintiff's right to select a treating physician for deposition and Defendants may exercise their right to choose a second treating physician.

4) **Dispute Resolution**

a) Counsel should meet and confer in an effort to resolve any disputes arising regarding the foregoing

b) Disputes that cannot be resolved by counsel should be addressed to the Court by way of filed letter, with a reply letter due within five (5) days of the initial filing.



The Honorable John C. Porto, P.J. Civ.