

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**IN RE: Seroquel Products Liability Litigation  
MDL DOCKET NO. 1769**

**This document relates to:**

**ALL CASES**

---

**JOINT STIPULATION REGARDING EXPERT DISCOVERY**

In recognition of the mutual need for the parties to produce multiple experts to testify at trials and/or evidentiary hearings in cases involving the prescription medication Seroquel (including those pending in this MDL and in state courts in New Jersey, Delaware, Missouri, New York, and California, collectively “the Seroquel litigation”), and the desire to expedite the process of expert discovery, the parties have entered into the following stipulation regarding expert discovery in the Seroquel litigation.

1. Drafts of expert reports and/or affidavits submitted on behalf of any party in the Seroquel litigation shall not be discoverable by any other party in the Seroquel litigation and shall not be usable at any deposition, hearing, or trial in the Seroquel litigation.

2. Communications, whether oral or written, between experts and counsel in connection with editing or commenting on draft reports or affidavits in the Seroquel litigation shall not be discoverable by any other party in the Seroquel litigation and shall not be usable at any deposition, hearing, or trial in the Seroquel litigation.

3. Testifying experts shall produce to opposing counsel within 3 days of the production of their expert reports and/or affidavits:

a. A complete list of documents and/or other materials reviewed, or provided for review, by the experts in forming their opinions, regardless of whether such documents and/or other materials are specifically cited or relied upon by the experts. Such documents and/or other materials shall be specifically described with sufficient detail to allow for identification by the opposing party. It is understood that experts may rely on information in their general knowledge or experience which might not appear in this list.

b. All records of fees and costs incurred and/or submitted, whether or not payment has been received by the experts or their designees. This shall include fees and costs incurred and/or submitted by research assistants or other consultants utilized by testifying experts in connection with the preparation of their reports or affidavits.

c. A list of all testimony given by the experts in any state or federal case within the last four years.

4. Testifying experts shall produce to opposing counsel the entire file of documents and/or other materials reviewed in forming the opinions set out in their reports or affidavits, or provided for review, regardless of whether such documents and/or other materials are specifically cited or relied upon by the experts. The parties shall use best efforts to make such documents and/or other materials available for inspection at least 4 days before an expert is deposed, and shall make such documents and/or other materials available at deposition.

5. This agreement does not apply to treating health care providers.

6. Nothing in this agreement shall prevent the parties from seeking expert discovery not addressed in this stipulation to the extent allowed by Court Rule or Order.

Respectfully submitted on this 7<sup>th</sup> day of November, 2008.

/s/ K. Camp Bailey

K. Camp Bailey  
Bailey Perrin Bailey LLP  
440 Louisiana, Suite 2100  
Houston, Texas 77002  
Telephone: (713) 425-7100  
Facsimile: (713) 425-7101  
cbailey@bpblaw.com

*Co-Lead Counsel for Plaintiffs*

/s/ Fred T. Magaziner

Fred T. Magaziner  
DECHERT LLP  
2929 Arch Street  
Philadelphia, PA 19103  
Telephone: (215) 994-4000  
Facsimile: (215) 994-2222  
fred.magaziner@dechert.com

*Counsel for Defendants AstraZeneca LP  
and AstraZeneca Pharmaceuticals LP*

**CERTIFICATE OF SERVICE**

I hereby certify that, on November 7, 2008, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, through which all participating parties are deemed served. I further certify that, by using the CM/ECF, the foregoing has been served on Plaintiffs' Liaison Counsel, who is charged with serving non-CM/ECF participants on the attached Service List.

/s/ Shane T. Prince

**SERVICE LIST****In Re: Seroquel Products Liability Litigation  
MDL Docket No. 1769**

<p>Paul J. Pennock, Esq. Michael E. Pederson, Esq. Weitz &amp; Luxenberg, P.C. 180 Maiden Lane - 17th Floor New York, NY 10038 Telephone: (212) 558-5500 Ppennock@weitzlux.com MPederson@weitzlux.com <b><i>Plaintiffs' Lead Counsel</i></b></p>	<p>Camp Bailey, Esq. Michael W. Perrin, Esq. Fletcher Trammell, Esq. Bailey Perrin Bailey LLP The Lyric Centre 440 Louisiana, Suite 2100 Houston, TX 77002 Telephone: (713) 425-7240 cbailey@bpblaw.com mperrin@bpblaw.com <b><i>Plaintiffs' Lead Counsel</i></b></p>
<p>Larry Roth, Esq. Law Offices of Larry M. Roth, P.A. Post Office Box 547637 Orlando, FL 32854-7637 Telephone: (407) 872-2239 LROTH@roth-law.com <b><i>Plaintiffs' Liaison Counsel</i></b></p>	<p>Tommy Fibich, Esq. Fibich, Hampton &amp; Leebron, L.L.P. 1401 McKinney, Suite 1800 Five Houston Center Houston, TX 77010 Telephone: (713) 751-0025 tfibich@fhl-law.com</p>
<p>Matthew F. Pawa, Esq. Law Offices of Matthew F. Pawa, P.C. 1280 Centre St., Suite 230 Newton Centre, MA 02459 Telephone: (617) 641-9550 Mp@pawalaw.com</p>	<p>Robert L. Salim, Esq. Robert L. Salim Attorney at Law P.O. Box 2069 Natchitoches, LA 71457-2069 Telephone: (318) 352-5999 robertsalim@cp-tel.net</p>
<p>Keith M. Jensen, Esq. Jensen, Belew &amp; Gonzalez, PLLC 1024 North Main Fort Worth, TX 76106 Telephone: (817) 334-0762 kj@kjensenlaw.com</p>	<p>Scott Allen, Esq. Cruse, Scott, Henderson &amp; Allen, L.L.P. 2777 Allen Parkway, 7th Floor Houston, Texas 77019 Telephone: (713) 650-6600 sallen@crusescott.com</p>
<p>Matthew E. Lundy, Esq. Lundy &amp; Davis, LLP 333 North Sam Houston Parkway East Suite 375 Houston, TX 77060 Telephone: (281) 272-0797 mlundy@lundydavis.com</p>	<p>W. Todd Harvey, Esq. E. Ashley Cranford, Esq. Whatley Drake &amp; Kallas, LLC 2323 2nd Avenue North Birmingham, AL 35203 Telephone: (205) 328-9576 THARVEY@whatleydrake.com ccf@whatleydrake.com</p>

<p>Robert L. Ciotti, Esq.  Carlton Fields, P.A.  4221 W. Boy Scout Boulevard  Suite 1000  Tampa, FL 33607-5736  Telephone: (813) 223-7000  rciotti@carltonfields.com  <b>Attorney for Defendants AstraZeneca  Pharmaceuticals, LP, and AstraZeneca LP</b></p>	<p>Gregory P. Forney, Esq.  Shaffer Lombardo Shurin  911 Main Street, Suite 2000  Kansas City, MO 64105  Telephone: (816) 931-0500  gforney@sls-law.com  rbish@sls-law.com  <b>Attorney for Defendant,  Marguerite Devon French</b></p>
<p>Randy Niemeyer  22442 Pike 309  Bowling Green, MO 63334-5209  <b>Pro Se</b></p>	<p>Eric B. Milliken, Esq.  3 Sir Barton Ct.  Newark, DE 19702  <b>Pro Se</b></p>
<p>Catherine Solomon  3100 N.E. 83  Gladstone, MO 64119  <b>Pro Se</b></p>	<p>Louisiana Wholesale Drug Co. Inc.  C/O Gayle R. White  Registered Agent  Highway 167N  Sunset, LA 70584  <b>Pro Se</b></p>
<p>Aaron C. Johnson, Esq.  Summers &amp; Johnson  717 Thomas  Weston, MO 64098  Telephone: (816) 640-9940  firm@summersandjohnson.com</p>	<p>Robert A. Schwartz, Esq.  Bailey &amp; Galyen  18333 Egret Bay Blvd., Suite 120  Houston, TX 77058  Telephone: (281) 335-7744  bschwartz@galyen.com</p>
<p>Todd S. Hageman, Esq.  Simon and Passanante, PC  701 Market St., Suite 1450  St. Louis, MO 63101  Telephone: (314) 241-2929  thageman@spstl-law.com</p>	<p>Mark P. Robinson, Jr., Esq.  Robinson, Calcagnie &amp; Robinson  620 Newport Center Drive, 7th Floor  Newport Beach, CA 92660  Telephone: (949) 720-1288  mrobinson@robinson-pilaw.com</p>
<p>Thomas F. Campion, Esq.  Steven M. Selna, Esq.  Drinker Biddle &amp; Reath, LLP  500 Campus Drive  Florham Park, New Jersey 07932-1047  Telephone: (973) 360-1100  Thomas.Campion@dbr.com  steven.selna@dbr.com  <b>Attorneys for Defendants Janssen  Pharmaceutical Products and Johnson &amp;  Johnson Co.</b></p>	<p>Michael Davis, Esq.  James Mizgala, Esq.  Sidley Austin LLP  One South Dearborn  Chicago, IL 60603  Telephone: (312) 853-7731  mdavis@sidley.com  jmizgala@sidley.com  <b>Attorneys for Defendants AstraZeneca LP  and AstraZeneca Pharmaceuticals, LP</b></p>

<p>Elizabeth Raines, Esq. Baker, Sterchi, Cowden &amp; Rice, LLC 2400 Pershing Road, Suite 500 Kansas City, MO 64108 Telephone: (816) 471-2121 raines@bscr-law.com</p>	<p>Timothy Reese Balducci, Esq. The Langston Law Firm, PA P.O. Box 787 100 South Main Street Booneville, MS 38829-0787 Telephone: (662) 728-3138 tbalducci@langstonlaw.com</p>
<p>Kenneth W. Bean, Esq. Sandberg, Phoenix &amp; von Gontard One City Centre 15th Floor St. Louis, MO 63101-1880 Telephone: (314) 231-3332 kbean@spvg.com <b><i>Attorney for Defendant Dr. Asif Habib</i></b></p>	<p>John Driscoll, Esq. Brown &amp; Crouppen, PC 720 Olive St. St. Louis, MO 63101 Telephone: (314) 421-0216 Jdriscoll@brownandcrouppen.com asmith@brownandcrouppen.com blape@brownandcrouppen.com</p>
<p>Aaron K. Dickey, Esq. Goldenberg and Heller, PC P.O. Box 959 2227 S. State Road 157 Edwardsville, IL 62025 Telephone: (618) 650-7107 aaron@ghalaw.com</p>	<p>Matthew J. Hamilton, Esq. Pepper Hamilton 3000 Two Logan Square 18<sup>th</sup> &amp; Arch Street Philadelphia, PA 19103 Telephone: (215) 981-4000 hamiltonm@pepperlaw.com</p>
<p>Justin Witkin, Esq. Ken Smith, Esq. Aylstock, Witkin &amp; Sasser, PLC 4400 Bayou Boulevard Suite 58 Pensacola, FL 32503 Telephone: (850) 916-7450 Jwitkin@AWS-LAW.com ablankenship@aws-law.com ksmith@aws-law.com noverholtz@aws-law.com</p>	<p>David P. Matthews, Esq. Lizy Santiago, Esq. Matthews &amp; Associates 2905 Sackett Street Houston, TX 77098 Telephone: (713) 222-8080 dmatthews@thematthewslawfirm.com lsantiago@thematthewslawfirm.com msalazar@thematthewslawfirm.com</p>
<p>Howard Nations Lori A. Siler Howard L. Nations Attorney At Law 4515 Yoakum Blvd. Houston, TX 77006-5895 Telephone: (713) 807-8400 nations@howardnations.com</p>	<p>Mary B. Cotton John D. Giddens, P.A. 226 North President Street P.O. Box 22546 Jackson, MS 39225-2546 Telephone: (601) 355-2022 betsy@law-inc.com</p>

<p>Salvatore M. Machi  Ted Machi &amp; Associates PC  18333 Egret Bay Blvd., Suite 120  Houston, TX 77058  Telephone: (281) 335-7744</p>	<p>Jona R. Hefner, Esq.  3441 W. Memorial, Suite 4  Oklahoma City, OK 73134-7000  Telephone: (405) 286-3000  attorneyokc@hotmail.com</p>
<p>David Dickens  Miller &amp; Associates  105 North Alfred Street  Alexandria, VA 22314-3010  (703) 519-8080  ddickens@doctoratlaw.com</p>	<p>Pete Schneider, Esq.  Grady, Schneider &amp; Newman, L.L.P.  801 Congress, 4th Floor  Houston, TX 77002  (713) 228-2200  pschneider@gsnlaw.com</p>
<p>Fred T. Magaziner  Marjorie Shiekman  A. Elizabeth Balakhani  Shane T. Prince  Eben S. Flaster  DECHERT LLP  Cira Centre  2929 Arch Street  Philadelphia, PA 19103  (215) 994-4000  fred.magaziner@dechert.com  shane.prince@dechert.com  marjorie.shiekman@dechert.com  eben.flaster@dechert.com  elizabeth.balakhani@dechert.com</p>	<p>Lawrence J. Gornick, Esq.  William A. Levin, Esq.  Dennis J. Canty, Esq.  Levin Simes Kaiser &amp; Gornick LLP  44 Montgomery Street, 36th Floor  San Francisco, CA 94104  Telephone: (415) 646-7160  lgornick@laskg-law.com  dcanty@laskg-law.com  lsimes@levins-law.com  jkaiser@laskg-law.com  echarley@laskg-law.com  ddecarli@laskg-law.com  bsund@laskg-law.com  astavarakas@laskg-law.com</p>
<p>Scott Burdine, Esq.  Hagans Burdine Montgomery  Rustay &amp; Winchester, P.C.  3200 Travis, Fourth Floor  Houston, TX 77006  Telephone: (713) 222-2700  sburdine@hagans-law.com</p>	<p>Lowell Finson  Phillips &amp; Associates  3030 North 3<sup>rd</sup> Street  Suite 1100  Phoenix, AZ 85012  (602) 258-8900, ext. 295  lowellf@phillipslaw.ws</p>
<p>Gale D. Pearson  Stephen J. Randall  Pearson, Randall &amp; Schumacher, P.A.  Fifth Street Towers, Suite 1025  100 South 5th Street  Minneapolis, MN 55402  (612) 767-7500  attorneys@outtech.com</p>	<p>Robert H. Shultz  Heyl, Royster  103 West Vandalia Street  P.O. Box 467  Edwardsville, IL 62025  (618) 656-4646  rshultz@hrva.com  bwallace@hrva.com</p>



<p>Ellen R. Serbin                  Perona, Langer, Beck, Lalande &amp; Serbin                  300 San Antonio Drive                  Long Beach, CA 90807-0948                  (562) 426-6155                  davidhwang@plblaw.com</p>	<p>Scott Armstrong                  1719 West Main Street                  Suite 201                  Rapid City, SD 57702                  (605) 399-3994                  scottarmstrong1235@earthlink.net</p>
<p>Linda S. Svitak                  Faegre &amp; Benson, LLP                  90 South 7th Street, Suite 2200                  Minneapolis, MN 55402-3901                  (612)766-7000                  lsvitak@faegre.com                  wjohnson@faegre.com</p>	<p>James J. Freebery                  McCarter &amp; English, LLP                  919 N. Market Street, 18th Floor                  Wilmington, DE 19801                  (973) 622-4444                  jfreebery@mccarter.com                  tpearson@mccarter.com</p>
<p>Richard D. Hailey                  Ramey &amp; Hailey                  3891 Eagle Creek Parkway                  Suite C                  Indianapolis, IN                  (317) 299-0400                  rhailey@sprynet.com</p>	<p>B. Andrew List                  Clark, Perdue, Arnold &amp; Scott                  471 East Broad Street, Suite 1400                  Columbus, OH 43215                  (614) 469-1400                  alist@cpaslaw.com                  lcollins@cpaslaw.com</p>