

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

**IN RE: Seroquel Products Liability  
Litigation**

**Case No. 6:06-md-1769-Orl-22DAB**

**This document relates to:**

**LINDA GUINN v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-10291-Orl-22DAB**

**JANICE BURNS v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-15959-Orl-22DAB**

**RICHARD UNGER v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-15812-Orl-22DAB**

**CONNIE M. CURLEY v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-15701-Orl-22DAB**

**LINDA WHITTINGTON v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-10475-Orl-22DAB**

**EILEEN MCALEXANDER v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-10360-Orl-22DAB**

**DAVID D. HALLER v. ASTRAZENECA PHARMS. LP, ET AL.  
MDL Case No. 6:07-cv-15733-Orl-22DAB**

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**ORDER**

In anticipation of the first trial in the Florida Trial Group cases, the Court issues the following additional instructions to the parties regarding the filing of the Joint Final Pretrial Statement, the Final Pretrial Conference, and other trial preparations:

**1. Meeting In Person** – On or before the due date of the Joint Final Pretrial Statement, **lead trial counsel** for all parties and any **unrepresented parties** shall meet together *in person* pursuant to Local Rule 3.06(b) in a good faith effort to:

**a.** stipulate to as many facts and issues as possible; in order to assist the Court, the parties shall make an active and substantial effort to stipulate at length and in detail as to agreed facts and law, and to limit, narrow, and simplify the issues of fact and law that remain contested; as a rule, parties who have complied with this requirement in good faith will file a Joint Final Pretrial Statement listing far more agreed facts and principles of law than those that remain for determination at trial;

**b.** tag, mark, identify, examine, copy, and list all original trial exhibits (including actual document exhibits) that any party will offer in evidence or otherwise tender to any witness during trial [Local Rule 3.06(b)(3) and 3.07(a)]; and prepare and exchange a final exhibit list on the Clerk's approved form (attached to this order) bearing a description identifying each exhibit and sponsoring witness [Local Rule 3.07(b)]; it is anticipated that counsel will agree to the admission of the bulk of the opposing parties' exhibits without objection and shall designate on the exhibit list the exhibits which the Court may admit without objection at trial. Absent good cause, the Court will **not** receive in evidence over objection any exhibits – including charts, diagrams, and demonstrative evidence – not presented to opposing counsel or unrepresented parties for inspection and copying at the required meeting or not listed in the joint final pretrial statement. Photographs of sensitive exhibits and of non-documentary evidence, and reductions of documentary exhibits larger than 8 ½" by 14" to be substituted for original exhibits after conclusion of the trial must be presented to opposing counsel for examination at the meeting to prepare the Joint Final Pretrial Statement. Objections to such photographs or reductions of exhibits must be listed in the Joint Final Pretrial Statement. The parties are advised that the design of certain courtrooms may preclude the use of large exhibits and posters in a jury trial. The parties are directed to contact the trial judge's courtroom deputy clerk to discuss exhibits and equipment to be used during trial; and

**c.** exchange the names and addresses of all witnesses and state whether they will likely be called.

2. **Exhibit List** – The exhibit list filed in compliance with Local Rules 3.06(c)(4) and 3.07(b) must be on the Clerk’s approved form (attached to this order). Unlisted exhibits will not be received into evidence at trial, except by order of the Court in the furtherance of justice. *See* Local Rule 3.06(e). The Joint Final Pretrial Statement must attach each party’s exhibit list on the approved form listing each *specific* objection (“all objections reserved” does *not* suffice) to each numbered exhibit that remains after full discussion and stipulation. Objections not made – or not made with specificity – are waived.

3. **Witness List** – On the witness list required by Local Rule 3.06(c)(5), the parties and counsel shall designate which witnesses will likely be called, and also designate which witnesses may be called. Absent good cause, the Court will not permit over objection testimony from unlisted witnesses at trial. This restriction does not apply to true rebuttal witnesses (*i.e.*, witnesses whose testimony could not reasonably have been foreseen to be necessary). Records custodians may be listed but will not likely be called at trial, except in the rare event that authenticity or foundation is contested.

4. **Joint Jury Instructions, Verdict Form, Voir Dire Questions** – The parties shall attach to the Joint Final Pretrial Statement **a single jointly-proposed set of jury instructions in order of presentation to the jury**, together with a single jointly-proposed jury verdict form. Local Rule 5.01(c). The parties should be considerate of their jury, and therefore should submit short, concise special verdict forms. The Court prefers pattern jury instructions approved by the United States Court of Appeals for the Eleventh Circuit. A party may include at the appropriate place in the single set of jointly-proposed jury instructions a contested charge, so designated with the name of the requesting party and bearing at the bottom a citation of authority for its inclusion, together with a summary of the opposing party’s objection. The Court will deny outright a proposed instruction that is “slanted” in any way. The Court requires that the parties send to the Chambers email **the single set of jury instructions and verdict form, in WordPerfect® 11.0 (or later) format**. The parties may include in the Joint Final Pretrial Statement a single list of jointly-proposed questions for the Court to ask the venire during voir dire.

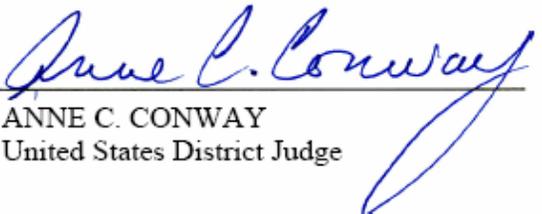
**5. Substance of Final Pretrial Conference** – Since this case must be fully ready for trial at the time that the Joint Final Pretrial Statement is due, at the final pretrial conference, all counsel and parties must be prepared and authorized to accomplish the purposes set forth in Fed.R.Civ.P. 16 and Local Rule 3.06, including formulating and simplifying the issues; eliminating frivolous claims and defenses; admitting facts and documents to avoid unnecessary proof; stipulating to the authenticity of documents; obtaining advance rulings from the Court on the admissibility of evidence; settling the dispute; disposing of pending motions; establishing a reasonable limit on the time allowed for presenting evidence; and such other matters as may facilitate the just, speedy, and inexpensive disposition of the action. *See* Fed.R.Civ.P. 16(c)-(d).

**6. Exhibit Notebook** – On the first day of trial, the parties shall provide to the Court a bench notebook containing marked copies of all exhibits.

**DONE and ORDERED** in Chambers, in Orlando, Florida on December 24, 2008.

Attachment: Exhibit List Form [mandatory form]

Copies furnished to: Counsel of Record

  
ANNE C. CONWAY  
United States District Judge

