

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

**IN RE: Seroquel Products Liability
Litigation.**

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

ORDER

This Order is to set forth authority and duties for Special Master Craig Ball, who has been appointed to provide services and expertise necessary for proper completion of discovery of electronically stored information (“ESI”) in this litigation. The primary duty of this Special Master (hereinafter referred to as “SM-ESI”) is to *assist* and, when necessary, *direct* the parties in completing required discovery of electronically stored information with reasonable dispatch and efficiency. The SP-ESI may seek from the Court clarification of these duties and any additional specific authority he deems necessary. The SP-ESI shall determine for himself the logistics of his activities (*e.g.*, methods of communication, whether to require in person meetings, *etc.*)

In general, issues as to the scope and subject matters for discovery, when contested by the parties, are for the Court’s determination. Issues as to means and methods for efficiently obtaining discoverable ESI are for the Special Master. If he has not already done so, the SP-ESI shall schedule as soon as possible a telephonic meeting with the designated legal and technical representatives of the parties to discuss how to accomplish the required tasks. He shall also provide the parties with information regarding his anticipated charges, and the parties are directed to confer regarding responsibility for those charges.

As an initial matter, the SP-ESI should review the discovery to date, taking into account the prior orders of the Court, formal and informal requests, offers and agreements as to production, the methods and procedures used retrieve and produce such information, and the results of those efforts.

The SP-ESI should obtain sufficient information from both sides as to the procedures used and problems encountered to determine whether past discovery is reasonably complete and, if not, what steps are needed to make it so. To the extent past or on-going difficulties involve technical issues, the SP-ESI shall assist the parties in reaching cost effective solutions. The parties are directed to provide access to any documents and personnel (including technical staff and vendors) necessary to these tasks.

The SP-ESI shall review with the parties on-going discovery requests involving ESI to determine where such information is stored and how it can most effectively be accessed and made available. To the extent the parties have disputes as to these matters, the SP-ESI may participate in the parties' "meet and confer" sessions. He is authorized to resolve issues as to search terms and protocols, formatting and other technical matters.

The SP-ESI shall regularly file a written report, in such format he deems most helpful, identifying his activities and the status of matters within his purview. The report should identify outstanding issues, with particular reference to matters requiring Court action. The first report shall be filed by 12:00 noon, October 26, 2007 in anticipation of the next status conference. The SP-ESI will attend the next Status Conference by telephone.

DONE and ORDERED in Orlando, Florida on October 5, 2007.

David A. Baker

DAVID A. BAKER
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record