

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

IN RE: TASIGNA (NILETINIB)
PRODUCTS LIABILITY LITIGATION

Case No. 6:21-md-3006-RBD-DAB
(MDL No. 3006)

This document relates to all actions.

DISCOVERY ORDER (Number 2)

This matter comes before the Court on a dispute between the parties as to the scope of initial electronic document discovery. The Court has reviewed the status reports (doc. nos. 58 and 62) and heard oral argument at the status conference held November 10, 2021. Although the parties have reached agreement with respect to many issues, a dispute remains as to the date range applicable to certain document custodians who were not assigned to Tasigna matters throughout its development and use. Having considered the positions of the parties, the nature of the issues in the case, and the scheduling deadlines, the Court **ORDERS** as follows:

Regarding the 28 document custodians identified and listed in the Supplemental Status Report ([doc. no. 62](#)), Novartis, by its attorneys, has represented to the Court that the respective time periods for each custodian are believed to include all documents pertinent to Plaintiffs' document search requests (as negotiated by the parties). Based on that representation, the Court will not

order that the search retrieval not be applied to these custodians beyond the timeframes specified in Novartis' response. Novartis is on notice that, should circumstances demonstrate that significant pertinent documents or timeframes should have been used, discovery sanctions may be imposed absent good cause for the omissions. As set forth in the Supplemental Status Report, Novartis must continue discussions with Plaintiffs should either party conclude adjustment to the timeframes is appropriate.

IT IS SO ORDERED.

DONE AND ORDERED in Chambers in Orlando, Florida, on November 15, 2021.

David A. Baker

DAVID A. BAKER
UNITED STATES MAGISTRATE JUDGE