

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE: NUVARING PRODUCTS LIABILITY LITIGATION))))))	4:08 MDL 1964 RWS ALL CASES
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**CASE MANAGEMENT ORDER OF OCTOBER 8, 2013
(Census of Claims)**

The Court, having discussed this issue with Plaintiffs’ Lead Counsel/Executive Committee and Defendants’ Lead Counsel and finding good cause shown, believes that in the management of this litigation as the transferee District, it is necessary to have a more accurate census of the cases as well as claims of putative plaintiffs, represented by Counsel with cases pending before this Court. To that end, this Order requires the registration of all cases and unfiled claims of putative plaintiffs who are represented by Counsel. This Order applies to all Counsel who represent one or more plaintiffs in this Multidistrict Litigation No. 1964 (“Plaintiffs”).

The Court hereby orders the registration of claims as follows:

1. Primary Counsel, defined below, shall register all claims relating to NuvaRing, whether pending in this proceeding, pending in any other jurisdiction or tribunal in the United States, or not yet filed in any jurisdiction, in which they have an Interest (as defined below in Paragraph 2). If a case has been filed by one law firm, Primary Counsel shall be the Counsel of Record. If a case has been filed by one or more firms, the firms filing such a case shall designate one firm among them as Primary Counsel. All Counsel in this proceeding shall be responsible for ensuring that all claims relating to NuvaRing in

which they have an Interest are registered by Primary Counsel in accordance with this Order.

2. Counsel shall be deemed to have an “Interest” in a NuvaRing Claim if Counsel or any person affiliated with, or related in any way to, Counsel: (a) has an engagement or retainer agreement with a person to represent that person in relation to NuvaRing; (b) is listed as the counsel of record for a Plaintiff in filed pleadings related to NuvaRing; (c) has entered an appearance for a Plaintiff in any legal action related to NuvaRing; (d) would benefit directly or indirectly from any payment to settle any claim connected with NuvaRing; or (e) otherwise has any financial interest of any kind whatsoever in any claim of such Plaintiff connected with NuvaRing.

3. The registration of claims by Primary Counsel shall be provided in the form of a Census Spreadsheet set forth as Exhibit A to this Order.

4. Primary Counsel shall provide the information required by this Order completely and accurately. The form shall provide the information required as of October 28, 2013.

5. Primary Counsel shall serve the Census Spreadsheet via electronic mail on Lead Counsel for the Plaintiffs Steering Committee and Lead Counsel for the Defendants by no later than October 28, 2013 as follows:

(a) Primary Counsel shall attach three files to a single electronic mail message—(i) the completed Census Spreadsheet in Adobe pdf format; (ii) the completed Census Spreadsheet in Excel format; and (iii) a certification of service in Adobe pdf format—and serve all of the documents on respective Lead Counsel at the following email addresses:

For Plaintiffs: ABehlmann@uselaws.com

For Defendants: JGuidea@reedsmith.com

(b) The subject line in the email should state: “Census Spreadsheet for [insert name of Primary Counsel or that attorney’s law firm].”

6. Primary Counsel must certify, pursuant to 28 U.S.C. § 1746, that the information contained in the Census Spreadsheet is true, complete and correct to his or her knowledge. Submission of the Census Spreadsheet (Exhibit A) constitutes a representation to the Court that the list of claimants and information provided therein is true, complete and correct.

7. The Court expects all Counsel to comply with this Order. Failure to meet the requirements of this Order by the deadlines set herein will subject non-compliant Counsel to a show cause hearing as to why they have not complied with this Order.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 8th day of October, 2013.

Plaintiff Name (First & Last)	Date of Injury	Type of Injury	State of Injury	Status of Filing	Jurisdiction of Filing	Case Number (MDL or Applicable State Court)	Primary Counsel
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Exhibit A