

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: FOSAMAX (ALENDRONATE
SODIUM) PRODUCTS LIABILITY
LITIGATION

Civil Action No. 08-08(GEB)(LHG)

MDL No. 2243

THIS DOCUMENT RELATES TO:

ALL CASES

CASE MANAGEMENT ORDER NO. 1

THIS MATTER having come before the Court on the application of plaintiffs, by and through Carella, Byrne, Cecchi, Olstein Brody & Agnello, P.C. (“Carella, Byrne”), and Seeger Weiss, LLP (“Seeger, Weiss”), for an Order appointing Co-liaison counsel and directing the formation of a Plaintiffs’ Steering Committee (“PSC”); and it appearing that counsel who have entered appearances in *In Re: Fosamax Products Liability Litigation*, MDL No. 2243, have conferred and agreed upon the selection of Co-Liaison Counsel; and other good cause having been shown;

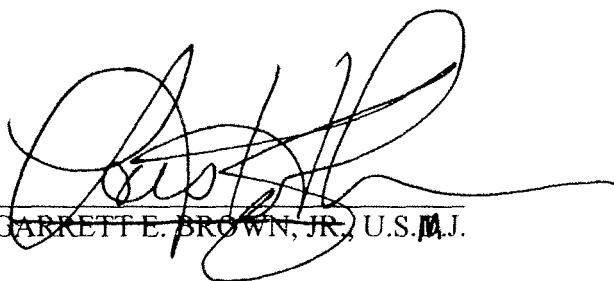
IT IS on this 5th day of July, 2011,

ORDERED that the orderly and efficient advancement of this litigation requires the coordinated efforts of the various plaintiffs’ counsel including discovery, communications with the Court, and motion practice, and the appointment of a Plaintiffs’ Steering Committee and Co-liaison counsel will aid in these efforts; and it is further

ORDERED that Carella, Byrne and Seeger Weiss are otherwise qualified to serve in the capacity as Co-Liaison counsel in a complex MDL, and have obtained the consent

of those attorney's appearing in this MDL, and hereby appointed plaintiffs' Co-liaison counsel and empowered to, *inter alia*: (1) serve as the primary contact for communication between the Court and other plaintiffs' counsel; (2) ensure that all notices, orders, and material communications are properly distributed (to the extent that they are not otherwise served on plaintiffs' counsel via the Court's electronic filing system); (3) convene meetings among plaintiffs' counsel; (4) appear on behalf of plaintiffs at court hearings and conferences; (5) organize and coordinate settlement discussions; (6) negotiate and enter into stipulations with defense counsel as necessary to promote the efficient advancement of this litigation; (7) communicate with defense counsel as necessary to promote the efficient advancement of this litigation; and (8) make available to other plaintiffs' counsel documents produced by the defendants; and it is further

ORDERED that within ^{one}~~two~~ weeks of the ^{June 29, 2011 conference}~~entry this Order~~ plaintiffs' Co-liaison counsel will ^{circulate}~~file~~ a proposed Case Management Order forming a Plaintiffs' Steering Committee to assist Co-Liaison counsel in the orderly prosecution and management of this MDL. The proposed Case Management Order may also include subcommittee appointments.


HON. GARRETT E. BROWN, JR., U.S. J.