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Superior Court of California  
County of Los Angeles

**MAY 07 2015**

**Sherri R. Carter, Executive Officer/Clerk**  
**By: Roxanne Arraiga, Deputy**

6 **Defendants' Lead and Liaison Counsel**

7 Mark P. Robinson, Jr., Esq. CA Bar # 054426  
8 Daniel S. Robinson, Esq. CA Bar # 244245  
Karen L. Karavatos, Esq. CA Bar# 131718  
9 **ROBINSON CALCAGNIE ROBINSON**  
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12 **Plaintiffs' Co-Lead Counsel**

13  
14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **COUNTY OF LOS ANGELES**

16  
17 COORDINATION PROCEEDING SPECIAL  
TITLE [RULE 3.550]

JCCP NO. 4696

18 ACTOS PRODUCT LIABILITY CASES

[Assigned to Hon. Kenneth R. Freeman]

19 **STIPULATION AND [REDACTED] ORDER RE**  
**CENSUS OF CLAIMS; AND CONTINUANCE**  
**OF STATUS CONFERENCE**

20 **THIS DOCUMENT RELATES TO:**

21 *All cases*  
22

23  
24 **PLEASE TAKE NOTICE THAT**, the parties, through Lead and Liaison Counsel for Plaintiffs  
25 and Lead and Liaison Counsel for Defendants, have met and conferred regarding a proposed procedure  
26 for obtaining an accurate census of the cases pending before this Court. Subject to the Court's approval,  
27 the parties jointly stipulate, agree and request by and through their respective undersigned counsel of  
28 record as follows:

**STIPULATION AND [REDACTED] ORDER REGARDING CENSUS OF CLAIMS**

1 The Court has been advised that an agreement has been reached to establish a settlement  
2 program for the resolution of bladder cancer claims (“Actos Resolution Program”). In order to  
3 effectuate the Actos Resolution Program, it is necessary to have an accurate census of the cases, as well  
4 as claims of putative plaintiffs, represented by Counsel with cases pending before this Court. To that  
5 end, this Order requires the registration of all cases and unfiled claims of putative plaintiffs who are  
6 represented by Counsel and who allege a personal injury as a result of the use of an Actos product.  
7 “ACTOS Product®” means a Product manufactured, distributed, marketed or sold by or for Takeda  
8 containing the active pharmaceutical compound pioglitazone, including, but not limited to, ACTOS,  
9 ACTOplus met, ACTOplus met XR, and Duetact.

10 This Order applies to all Counsel who represent one or more plaintiffs in this *In re Actos Product*  
11 *Liability Cases*, JCCP No. 4696 proceeding (“Plaintiffs”). California Evidence Code sections 1152 and  
12 1154 shall apply including with regard to all offers and acceptances as well as conduct or statements  
13 made in the negotiations thereof, and shall not be admissible as evidence in any action.

14 The Court hereby orders the registration of claims as follows:

15 1. Primary Counsel, defined below, shall register all claims alleging a personal injury  
16 relating to ACTOS® Products, in which they have an Interest (as defined below in Paragraph 2),  
17 whether (a) pending in this proceeding, (b) pending in any other jurisdiction or tribunal in the United  
18 States, or (c) not yet filed in any jurisdiction. If a case has been filed by one law firm, Primary Counsel  
19 shall be the Counsel of Record. If a case has been filed by one or more firms, the firms filing such a  
20 case shall designate one firm among them as Primary Counsel. If a case is unfiled and is represented by  
21 one or more firms that have an Interest in such case as defined below, such firms shall designate one  
22 firm among them as Primary Counsel. All Counsel in this proceeding shall be responsible for ensuring  
23 that all claims relating to ACTOS® Products in which they have an Interest are registered by Primary  
24 Counsel in accordance with this Order, and shall coordinate with Primary Counsel to avoid submission  
25 of the same claim by multiple Primary Counsel.

26 2. Counsel shall be deemed to have an “Interest” in a ACTOS® Claim if Counsel or any  
27 person affiliated with, or related in any way to, Counsel: (a) has an engagement or retainer agreement  
28

1 with a person to represent that person in relation to ACTOS® Products; (b) is listed as the counsel of  
2 record for a Plaintiff in filed pleadings related to ACTOS® Products; (c) has entered an appearance for a  
3 Plaintiff in any legal action related to ACTOS® Products; (d) would benefit directly or indirectly from  
4 any payment to settle any claim connected with ACTOS® Products; or (e) otherwise has any financial  
5 interest of any kind whatsoever in any claim of such Plaintiff connected with ACTOS® Products.

6 3. Primary Counsel shall fully comply with this Order, and shall provide the information  
7 required by this Order, by no later than ten (10) days after entry of this Order. The census submission  
8 from each Primary Counsel shall provide the information required current as of the time of the  
9 submission.

10 4. Primary Counsel shall register claims by using the online Registration function at  
11 www.actosofficialsettlement.com, either by providing the information required by that function for each  
12 claim individually or by completing and uploading the Census Spreadsheet available at that website for  
13 this purpose. Primary Counsel shall not modify the format or fields required by the Census Spreadsheet.

14 5. When registering claims in accordance with this Order, Primary Counsel must certify,  
15 pursuant to California Code of Civil Procedure section 2015.5 and using the online function for this  
16 purpose, that all information provided to register claims is true, complete and correct, to the best of his  
17 or her knowledge. Submission of registration information under Paragraph 4 constitutes a representation  
18 to the Court that the information provided is true, complete and correct.

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

22 Dated: May 4, 2015

TUCKER ELLIS LLP

23 */s/ Mollie Benedict*

24 Mollie Benedict

25 Su-Lyn Combs

26 Defendants' Lead and Liaison Counsel

1 Dated: May 4, 2015

ROBINSON CALCAGNIE ROBINSON SHAPIRO  
DAVIS, INC.

/s/ Mark P. Robinson, Jr.

Mark P. Robinson, Jr.  
Co-Lead Counsel for Plaintiffs

5 Dated: May 4, 2015

GIRARDI & KEESE

/s/ Thomas Girardi

Thomas Girardi  
Co-Lead Counsel for Plaintiffs

8 Dated: May 4, 2015

SKIKOS CRAWFORD SKIKOS JOSEPH LLP

/s/ Steven Skikos

Steven Skikos  
Co-Liaison Counsel for Plaintiffs

12 Dated: May 4, 2015

THE BRANDI LAW FIRM

/s/ Thomas Brandi

Thomas Brandi  
Co-Liaison Counsel for Plaintiffs

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14 The status conference set on May 14, 2015 is continued to May 11, 2015 at  
15 11:00 a.m. in Department 310. The parties are to post and file a Joint  
16 Report by May 8, 2015.  
IT IS SO ORDERED.

17 Dated: ~~May 7~~ MAY 7 2015

KENNETH R. FREEMAN  
Honorable Kenneth R. Freeman