IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: AVANDIA MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	**MDL No. 1871** **07-md-01871**
THIS DOCUMENT APPLIES TO: **ALL ACTIONS**	

ORDER

AND NOW, this 18th day of October 2012, upon consideration of Defendant GlaxoSmithKline LLC's Motion to Show Cause as to Why the Court Should not Limit Plaintiff's Attorneys' Fees [Doc. No. 2041] and the responses and reply thereto, it is hereby **ORDERED** that the motion is **DISMISSED** without prejudice.[1]

It is so **ORDERED**.

BY THE COURT:

CYNTHIA M. RUFE, J.

[1] The Court recognizes its authority to examine contingent fee arrangements for fairness at an appropriate time and under appropriate circumstances. See In re: Vioxx Prod. Liability Litig., 574 F. Supp. 2d 606 (E.D. La. 2008); In re: Zyprexa Prods. Liab. Litig., 424 F. Supp. 2d 488, 492 (E.D.N.Y. 2006). However, at this point in the Avandia litigation, the remaining Plaintiffs are proceeding without the assistance of a Plaintiff's Steering Committee, and have been required to comply with PTO 155, which requires the filing of case-specific expert reports. Each attorney with remaining claims is individually responsible for responding to any motions and preparing each of his or her cases for trial. In light of these factors, the Court will decline GSK's invitation to examine the contingent fee arrangements that the remaining Plaintiffs have entered into with their counsel at this time.