

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re: WATSON FENTANYL PATCH LITIGATION)	Case No. 12-cv-06296
)	
)	MDL No. 2372
)	
)	Judge Matthew F. Kennelly
)	
)	This Document Relates To:
)	1:12-cv-06878;
)	1:12-cv-09898;
)	<i>Landry v. Watson Pharmaceuticals,</i>
)	<i>Inc., et al.</i>¹
)	

ORDER NO. 5 - SCHEDULING ORDER

The following Scheduling Order applies only in the matters of *Rebecca Ross v. Watson Pharmaceuticals, Inc., et al.* (Case No. 1:12-cv-06878); *Jeanne Samanie v. Watson Pharmaceuticals, Inc., et al.* (Case No. 1:12-cv-09898); and *Eugene Landry v. Watson Pharmaceuticals, Inc., et al.*:

1. If the parties have not previously done so prior to transfer of the case to MDL 2372, the parties shall exchange the information required by Fed. R. Civ. P. 26(a)(1) by May 10, 2013.
2. The cutoff for joinder of parties is June 24, 2013.
3. Amendments to pleadings must be filed by June 24, 2013.
4. The deadline for completion of fact discovery will be December 31, 2013.
5. The parties shall engage in court-annexed attorney mediation or private mediation on or before January 24, 2014. Within fourteen (14) days after the date on which mediation occurs the parties are directed to provide to the Court a status report containing when the

¹ The *Landry* case has not been assigned a case number in MDL 2372.

mediation occurred and with whom and, if unsuccessful, whether additional efforts might be beneficial.

6. Plaintiff will disclose expert witnesses and their opinions in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before February 14, 2014.


7. Defendant will disclose its expert witnesses and their opinions in accordance with Rule 26(a)(2) on or before March 28, 2014.

8. The deadline for completion of expert discovery will be June 27, 2014.

9. The deadline to complete “additional factual discovery” which is defined as (a) discovery occurring after December 31, 2013, AND (b) either (1) factual discovery, the necessity of which was first learned after December 31, 2013, including during the expert discovery phase; (2) factual discovery which is agreed to, in writing, by all parties; or (3) factual discovery granted by the Court, upon request with good cause shown, will be July 31, 2014.

10. Dispositive motions, including challenges to the admissibility of expert opinion testimony based on *Daubert* and Federal Rule of Evidence 702 must be filed by August 25, 2014.

IT IS SO ORDERED this 23rd day of April, 2013.



Hon. Matthew Kennelly
United States District Court Judge