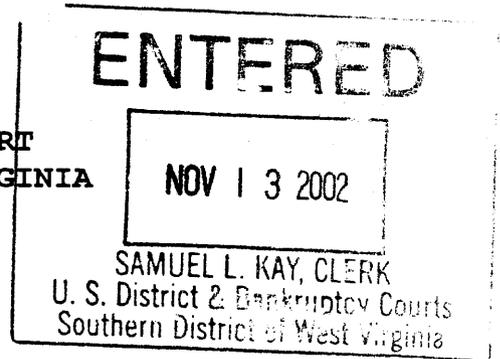


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON



IN RE:       **SERZONE**  
              **PRODUCTS LIABILITY LITIGATION**

MDL NO. 1477

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THIS DOCUMENT RELATES TO ALL CASES

**DISCOVERY ORDER # 2**

**Entry of Discovery Order # 2**

A copy of this order shall be entered in each Serzone-related case transferred to, removed to, or filed in this district and shall apply to all such cases. In cases subsequently filed in this district, a copy will be provided by the Clerk to each plaintiff at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy will be provided by the Clerk to each new party upon removal or transfer.

**Telephone Conference of November 8, 2002**

On November 8, 2002, the undersigned met with counsel for Plaintiffs (Carl N. Frankovitch) and Defendant (Michael A. Tanenbaum and Michael B. Victorson), via telephone conference call, for the purpose of considering further the arrangements for a document depository. As a result of that meeting, it is hereby **ORDERED** as follows:

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### **Discovery Committee**

On **Wednesday, November 13, 2002**, Mr. Frankovitch will provide the court with a new list of attorneys who will be serving on the Discovery Committee.

### **Document Depository**

The parties have agreed not to establish a joint use document depository. With respect to documents identified in paragraph 2 of Discovery Order # 1, the parties have agreed that Defendant will produce its documents to Plaintiffs on computer discs, and that Plaintiffs will convert them to a format where they will be accessible to Plaintiffs' counsel via the internet. Prior to November 22, 2002, Liaison Counsel for Plaintiffs will advise Liaison Counsel for Defendant where to send computer discs with document images. Defendant will make its initial production of no fewer than 100,000 pages by **November 22, 2002**. On or before **December 13, 2002, January 10, 2003, and January 24, 2003**, Defendant will, as to each date, produce no fewer than 200,000 pages; provided, however, that the production on January 24, 2003 will complete production of those identified documents and may be fewer than 200,000 pages.

Plaintiffs will produce completed Fact Sheets and their attachments in hard copy by delivering them to Liaison Counsel for Defendant.

The court directs the Clerk to send a copy of this order to  
Plaintiffs' Liaison Counsel and Defendant's Liaison Counsel.

ENTER: November 13, 2002

*Mary E. Stanley*  
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Mary E. Stanley  
United States Magistrate Judge