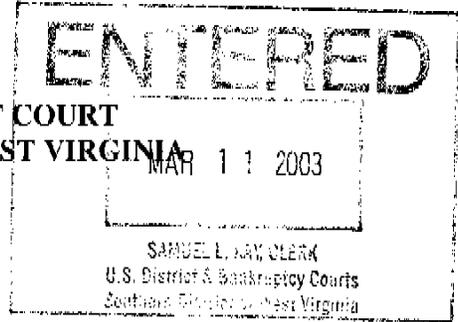


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION



IN RE: SERZONE
PRODUCTS LIABILITY LITIGATION

MDL NO. 1477

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER #6

This order establishes the schedule for events related to all motions for class certification in all cases consolidated in MDL-1477.

1. **Withdrawal of Putative Class Representatives.** Any putative class representative with a case on file may withdraw as putative class representative on or before March 24, 2003. Any plaintiff identified in any filed case as a putative class representative who has not withdrawn by March 24, 2003, shall be subject to the terms of this Order and his or her claims as a class representative shall be determined by the court in accordance with this Order.

2. **Depositions of Putative Class Representatives.** Depositions of all putative class representatives shall be completed by July 31, 2003.

3. **Disclosure/Discovery of Plaintiffs' Experts.** Plaintiffs shall furnish to Defendants the identity and reports of all experts, if any, to be used in support of any Motion to Certify Class Action in accordance with *Fed. R. Civ. P. 26(a)(2)(B)* along with the dates each such expert is available for deposition by July 31, 2003. Defendants shall complete the depositions of Plaintiffs' experts by September 15, 2003.

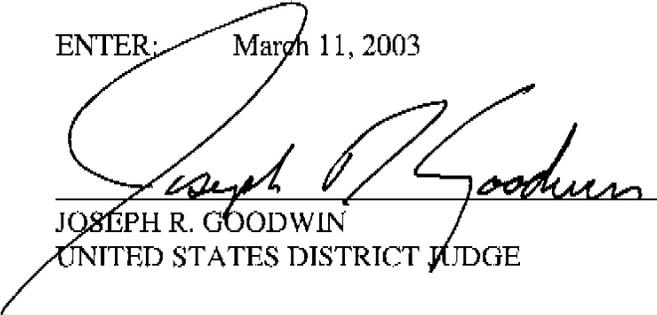
4. **Disclosure/Discovery of Defendants' Experts.** Defendants shall furnish to Plaintiffs the identity and reports of all experts, if any, to be used in conjunction with class certification issues in accordance with *Fed. R. Civ. P.* 26(a)(2)(B) along with the dates each such expert is available for deposition by October 1, 2003. Plaintiffs shall complete the depositions of Defendants' experts by November 15, 2003.

5. **Class Certification Motions.** In accordance with this court's order entered February 21, 2003, Plaintiffs' Lead Counsel shall file any Motion to Certify Class Action together with supporting Memoranda, exhibits, and affidavits by November 30, 2003. The Memorandum shall be limited to fifty (50) pages exclusive of attachments. Defendants shall file any Memorandum in Opposition to Plaintiffs' motion for class certification, together with exhibits, affidavits, and depositions by January 15, 2004. The Memorandum shall be limited to fifty (50) pages exclusive of attachments. Plaintiffs' Lead Counsel shall file any Memorandum in Reply to Defendants' opposition for class certification by January 31, 2004. The Reply shall be limited to twenty (20) pages exclusive of attachments.

6. **Hearing.** The hearing on any Motion to Certify Class Action shall be on February 23, 2004, at 10 a.m.

The court **DIRECTS** the Clerk to send a copy of this Order to Defendant's Liaison Counsel and Plaintiffs' Liaison Counsel.

ENTER: March 11, 2003



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE