

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON**

**IN RE DIGITEK®  
PRODUCT LIABILITY LITIGATION**

**MDL NO. 1968**

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**THIS DOCUMENT RELATES TO ALL CASES**


**PRETRIAL ORDER #42  
(Stay of PTO # 16 Deadlines re Class Certification Briefing)**

On September 24, 2009, Plaintiffs filed a motion to compel and a related motion to extend deadlines in PTO #16 [Docket 212 and 213]. Having been notified that an agreement between the parties as to an extension on the deadlines in PTO #16 is now dissolved, I hereby **ORDER** that the deadlines for class certification briefing, expert reports and company deposition deadlines in PTO #16 are **STAYED** pending rulings on the above motions.

The court **DIRECTS** the Clerk to file a copy of this memorandum opinion and order in 2:08-md-1968 which shall apply to each member Digitek-related case previously transferred to, removed to, or filed in this district, which includes counsel in all members cases up to and including civil action number 2:09-cv-1054. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all

pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvsc.uscourts.gov](http://www.wvsc.uscourts.gov).

ENTER: September 29, 2009



Joseph R. Goodwin  
Joseph R. Goodwin, Chief Judge