

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: GADOLINIUM BASED CONTRAST AGENTS
PRODUCTS LIABILITY LITIGATION

This document relates to:

Marcinczyk v. GEHC, et al., No. 1:08-gd-50070;
Hudson v. GEHC, et al., No. 1:08-gd-50085;
Sullivan v. GEHC, et al., No. 1:08-gd-50149;
Britt v. GEHC, et al., No. 1:08-gd-50171;
Smith v. GEHC, et al., No. 1:08-gd-50266;
Smiley v. GEHC, et al., No. 1:08-gd-50286;
Duckett v. GEHC, et al., No. 1:08-gd-50336;
Pettigrew v. GEHC, et al., No. 1:08-gd-50359;
Hammersley v. GEHC, et al., No. 1:09-gd-50065;
Willey v. GEHC, et al., No. 1:09-gd-50146;
Tussey v. GEHC, et al., No. 1:09-gd-50199;
Wahl v. GEHC, et al., No. 1:11-gd-50025;
Money v. GEHC, et al., No. 1:12-gd-50000;
Larson v. GEHC, et al., No. 1:12-gd-50002;
Gary v. GEHC, et al., No. 1:12-gd-50007;
Uvalle v. GEHC, et al., No. 1:12-gd-50009

Case No. 1:08-gd-50000

MDL No. 1909

Judge Dan Aaron Polster

**ORDER EXTENDING
DISCOVERY DEADLINE FOR
AMENDED PROTOCOL FOR
ADDRESSING THE
REMAINING CASES
AGAINST THE GEHC
DEFENDANTS**

On August 17, 2012, the Court issued a “Protocol for Addressing the Remaining Cases Pending Against the GEHC Defendants.”¹ (ECF No. 1113.) Under this Protocol, the parties were directed to engage in limited case-specific discovery to be completed by October 19, 2012. Each side was permitted to conduct not more than three (3) depositions in each case. Any case that was not resolved by November 2, 2012 was to be remanded. This Protocol was overseen by Special Master Cathy Yanni.

¹ The Protocol did not include *Decker v. GE Healthcare Inc., et al.*, Case No, 1:12-gd-50004, which is scheduled to go to trial March 5, 2013.

This Court has been informed of the significant progress the parties have been making pursuant to this Protocol since August 17, and that it has proven to be successful in furtherance of the Court's settlement initiative. Given the time it took to obtain updated Plaintiff Fact Sheets, authorizations and medical records since the Protocol was issued in August, it has come to the Court's attention that several depositions are scheduled or are in the process of being scheduled to occur after the November 2 limited discovery deadline.

Accordingly, this Court orders the extension of the deadline to complete the limited case-specific discovery outlined in the August 17, 2012 Protocol up to and including the close of business on Friday, January 4, 2013. The parameters regarding this discovery under the Protocol remain in effect. Specifically, the parties are ordered to proceed with the following:

- (1) The GEHC Defendants may conduct limited case-specific discovery, with not more than three (3) depositions per case. Plaintiffs may also conduct limited case-specific discovery, with not more than three (3) depositions per case.
- (2) The parties are also ordered to complete the written discovery requests already served by GEHC in each case, as revised by the Special Master.
- (3) The parties are directed to continue working to resolve their cases. Special Master Cathy Yanni and the undersigned are available to assist their efforts.
- (4) Any case not resolved by the close of business on Friday, January 4, 2013 shall be considered for remand.

IT IS SO ORDERED

s/Dan A. Polster

Dan Aaron Polster
United States District Judge
10/30/2012