

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

**IN RE: HEPARIN PRODUCTS
LIABILITY LITIGATION**

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**MDL Docket No. 1953
CHIEF JUDGE JAMES G. CARR
CASE NO. 1:08-60000**

ALL CASES

**SECOND AMENDED PRETRIAL ORDER NUMBER 18
PRE-TRIAL AND TRIAL SCHEDULE**

Upon agreement of Plaintiffs and Defendants Baxter International, Baxter Healthcare Corporation, Baxter Healthcare Corporation of Puerto Rico Scientific Protein Laboratories LLC, and Changzhou SPL Co., Ltd., the Court hereby enters an order pertaining to the pre-trial and trial schedule as follows:

A. Defendants' Omnibus Motion for Summary Judgment

Plaintiffs' opposition brief - on or before July 1, 2010, defendants' reply brief in support of motion due 30 days from date Plaintiffs' brief is filed.

B. Generic Expert Issues

Plaintiffs' deadline for submitting expert reports is September 1, 2010;

Defendants' deadline for submitting expert reports is October 1, 2010;

Completion of expert discovery due December 1, 2010

Expert-related summary judgment/*Daubert* motions:

Opening motions due December 15, 2010; opposition briefs due January 15, 2011; reply briefs due February 1, 2011. *Daubert* hearings and argument on dispositive motions, if needed, scheduled for February 28, 2011 at 8:30 a.m.

C. Resolution of Individual Cases

Case selection

Plaintiffs' proposed substitution for *Skamangas* bellwether candidate provided on May 12, 2010. Final Bellwether strikes due May 20, 2010.

Continuing case-specific fact discovery completed - August 20, 2010

Case-specific expert discovery

Plaintiffs' case-specific expert reports due September 1, 2010.

Defendants' case-specific expert reports due October 1, 2010. Case-specific expert discovery completed – December 1, 2010

Case-specific dispositive motions

Dispositive motions due December 15, 2010, oppositions to dispositive motions due January 15, 2011; reply briefs due January 31, 2011. Oral argument on dispositive motions set for February 28, 2011 at 8:30 a.m.

D. Final decision regarding first individual case to proceed to trial due February 1, 2011. Twelve person jury trials of bellwether cases to begin on March 1, 2011 at 8:30 a.m.; April 12, 2011 at 8:30 a.m.; May 31, 2011 at 8:30 a.m.; and September 13, 2011 at 8:30 a.m., with *voir dire* to be conducted before the undersigned, or, subject to concurrence of parties before the United States Magistrate Judge, on the day prior to the trial dates set herein.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED this 13th day of May 2010.

s/ James G. Carr
Chief Judge James G. Carr
United States District Court