

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

IN RE:)	MDL Docket No. 1953
)	
HEPARIN PRODUCTS)	CHIEF JUDGE JAMES G. CARR
LIABILITY LITIGATION)	CASE NO. 1:08-60000
)	
)	ALL CASES

PRETRIAL ORDER NO. 14

**REGARDING DISCLOSURE OF ONGOING MEDICAL AND SCIENCE STUDIES
and
IDENTIFICATION OF CONTAMINATED LOTS**

In order to ensure timely and speedy disclosure of information concerning science and medical issues involved in this litigation, the Court hereby orders Defendants Baxter Healthcare Corporation (“BHC”), Baxter International Inc. (“BII”), Scientific Protein Laboratories LLC (“SPL”), and Changzhou Scientific Protein Laboratories LLC (“CZSPL”) (collectively “Defendants”) to produce directly to Plaintiffs’ Liaison Counsel, within 30 days of the date of this Order, and henceforth every 30 days (for protocols and final studies) or quarterly (for all other documents referenced in this Order) the following:

- a. all protocols, data transmittal reports, interim reports, final studies and any amendments thereto (either published or unpublished) conducted by Defendants and/or funded or sponsored in whole or in part by Defendants regarding OSCS and/or Heparin contaminated with OSCS;
- b. all protocols, data transmittal reports, interim reports, final studies and any amendments thereto (either published or unpublished) conducted by Defendants and/or funded or sponsored in whole or in part by Defendants concerning cumulative or multiple adverse events related to Heparin

- and/or contaminated Heparin from 2007 and thereafter, and any submissions or transmittals of data regarding same to FDA or CDC;
- c. all protocols, data transmittal reports, interim reports, final studies and any amendments thereto (either published or unpublished) concerning cumulative or multiple adverse events related to Heparin and/or contaminated Heparin from 2007 and thereafter, received by Defendants from FDA or CDC;
 - d. all protocols, data transmittal reports, interim reports, final studies and any amendments thereto (either published or unpublished) conducted by Defendants and/or funded or sponsored in whole or in part by Defendants, concerning identification of lots of Heparin contaminated with OSCS;
 - e. all correspondence or submissions to FDA concerning OSCS and/or Heparin contaminated with OSCS.

Copies of all documents produced on an expedited basis in compliance with this Order shall also be provided to the Plaintiffs' Document Depository in the ordinary course and included in any searchable databases provided by Defendants under the previous discovery orders of this Court.

Nothing in this Order is intended to or shall be construed as expressly or impliedly waiving any applicable privileges or other protections from discovery disclosures, including but not limited to, the consulting expert privilege and the attorney work product doctrine. Entry of this Order is expressly made without prejudice to Defendants' ability and rights to assert these (or any other applicable) privileges and to withhold production on this basis. Should Defendants choose to assert any privileges and withhold production, they shall timely disclose the existence of the aforementioned studies to the Court and provide facts to support the claimed privilege.

IT IS SO ORDERED:

Date: April, 29, 2009

s/ James G. Carr

Chief Judge James G. Carr