

**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. 16

Since the origination of these multidistrict proceedings several new Defendants (other than the Baxter and SPL Defendants) have been named in complaints transferred hereto pursuant to 28 U.S.C. § 1407 or in complaints directly filed in this Court. To clarify the applicability of previously entered Orders to these new Defendants, the Court states as follows. As to previously entered Pretrial Orders and any amendments thereto:

- a. PTO 1 setting forth the procedure for Direct Filing in this Court applies to all Plaintiffs and Defendants;
- b. PTO 6 establishing a Common Benefit Fund applies to all Plaintiffs and Defendants;
- c. PTO 7 establishing a Protective Order applies to all Plaintiffs and Defendants;
- d. PTO 9 concerning access to MDL discovery applies to all Plaintiffs and Defendants;

Each of the foregoing Pretrial Orders shall be deemed to apply to each Defendant, rather than being limited to only the Baxter Defendants, Scientific

Protein Laboratories, American Capital Strategies or other previously named Defendants.

Further, each newly named Defendant that has been properly served in a pending MDL case, and any subsequently named and properly served new Defendant in any case pending in MDL 1953, shall designate within 30 days of this Order or within 30 days of first becoming a party to a case pending in these MDL proceedings, the following:

- a. The identity of any person(s), if any, who will accept service of process under the terms of PTO 5, as amended, in any future filed cases;
- b. The agreement or disagreement of each Defendant to PTO 12, concerning a Tolling Agreement;
- c. Any specific revisions necessary to the PTO 8 concerning the Discovery Plan.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED this
29 day of April, 2009.

s/ James G. Carr

Chief Judge James G. Carr
United States District Court