

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE NUVARING PRODUCTS) 4:08 MD 1964 RWS
LIABILITY LITIGATION)
) ALL CASES

ORDER

A status conference was held on April 27, 2010, at which multiple issues were addressed. Based on the discussions and rulings at that conference the following is ordered:

Scheduling Order for Phase I Potential Bellwether Trial Pool Cases

IT IS HEREBY ORDERED that the following schedule shall apply to the Phase I potential bellwether trial pool cases in this case, and will be modified only upon a showing of exceptional circumstances:

1) All motions for joinder of additional parties or amendment of pleadings shall be filed no later than **July 30, 2010**.

2) The parties shall complete all fact discovery no later than **December 17, 2010**.

3) The Court will hold a scheduling conference for the Phase I cases on **Tuesday, January 4, 2011 at 11:00 a.m. in Courtroom 10-South**. By **January 3, 2011 at 1:00 p.m.**, the parties will file with the Court proposed orders regarding the expert discovery schedule and the procedures for selecting and setting the first bellwether case for trial.

IT IS FURTHER ORDERED that plaintiffs' motion for leave to allow direct filing [#709] is denied, and plaintiffs' motion to set a telephone conference on the motion for leave to allow direct filing [#710] is denied as moot.

IT IS FURTHER ORDERED that defendants' motion to dismiss [#752] is denied without prejudice, subject to being re-raised at a later time if appropriate.

IT IS FURTHER ORDERED that the parties shall contact my chambers to provide a date for the status conference to discuss Rule 30(b)(6) depositions by **Monday, May 3, 2010.**

IT IS FURTHER ORDERED that there will be a scheduling conference on **June 2, 2010 at 10:30 a.m. in Courtroom 10-South.** The parties shall submit a proposed agenda for the conference no later than **12:00 p.m. on Thursday, May 27, 2010.**



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 29th day of April, 2010.