

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS DIVISION**

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<b>IN RE PRADAXA</b>	)	<b>MDL No. 2385</b>
<b>(DABIGATRAN ETEXILATE)</b>	)	<b>3:12-md-02385-DRH-SCW</b>
<b>PRODUCTS LIABILITY</b>	)	<b>Judge David R. Herndon</b>
<b>LITIGATION</b>	)	

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**This Document Relates to:**

*All Cases*

**CASE MANAGEMENT ORDER NUMBER 57**  
**Regarding February 5, 2014 Phone Hearing**

**HERNDON, Chief Judge:**

On February 5, 2014, the Court convened a hearing, at the request of the PSC, to address several discovery issues. The Court ruled from the bench on a number of these issues. The following is a summary of the Court's rulings during the February 5, 2014 hearing:

- 1. Adjudication Report Issue:** This matter is ongoing. The PSC is not requesting a ruling from the Court at this time.
- 2. SAS Datasets, Program Files, and Output files:** All SAS Datasets, Program Files, and Output Files must be produced. The defendants offered to produce an Index identifying the SAS Datasets, Program Files, and Output Files that have already been produced. The Court ORDERS that the Index be produced by noon CST on February 7, 2014. FURTHER, the Court ORDERS that any SAS Datasets, Program Files, and Output Files not already produced be produced by noon CST on February 14, 2014.
- 3. Ongoing Relationship Between Dr. Thorsten Lehr and Boehringer:** The defendants are ORDERED to produce, to the Court and to the PSC, any written agreement memorializing the relationship between Dr. Thorsten

Lehr and any Boehringer entity, including but not limited to any consulting or severance agreement. This material should be produced as soon as possible but no later than February 7, 2014.

- 4. The Defendants' Request Regarding Judge Stack:** In their January 31, 2014 letter to the Court, the defendants asked that the PSC be directed to engage in a meaningful meet and confer with the defendants and to seek counsel from Judge Stack before seeking relief on discovery matters from the Court. The request is DENIED. When matters are raised before the Court during a status conference and the Court issues directives related to those matters, the Court has assumed responsibility for the same.
- 5. Vault Documents:** The defendants are ORDERED to produce relevant documents from Vault on February 7, 2014. This production is subject to the certification requirements outlined in the Court's previous Case Management Orders.
- 6. Log Files:** The PSC seeks production of the log files for all BIPI/BII custodians. The Court finds that the burden of production outweighs the value of what will be harvested from the requested documents. Accordingly, the request is DENIED.
- 7. Joann Van Ryn Documents:** These documents have been produced and the matter is moot unless some issue arises.

**SO ORDERED:**

 Digitally signed by  
David R. Herndon  
Date: 2014.02.05  
17:10:38 -06'00'

**Chief Judge  
United States District Court**

**Date: February 5, 2014**