

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

IN RE PRADAXA)	MDL No. 2385
(DABIGATRAN ETEXILATE))	3:12-md-0235-
PRODUCTS LIABILITY)	DRH-SCW
LITIGATION)	

This Document Relates to:

ALL CASES

**CASE MANAGEMENT ORDER NUMBER 43
(Discovery Special Master)**

HERNDON, Chief Judge:

At the request of the Defendants, the Court hereby appoints the Honorable Dan Stack (Ret.) to mediate discovery disputes, in addition to his duties outlined in CMO 41.

The following parameters shall apply to this appointment:

1. Either party, at any time prior to bringing a dispute to the Court, may take a discovery dispute to the Special Master for the purpose of attempting to mediate a resolution. The provisions of this CMO shall only apply if Judge Stack is available to address the dispute in the time period set forth in paragraph 3 below. The party taking a discovery dispute to the Special Master shall so notify the opposing party.
2. The Special Master can be contacted via cell phone or e-mail.
3. Absent agreement of the parties, any such discovery mediation shall not exceed 72 hours after contact with the Special Master. If the discovery dispute remains unresolved, it shall be brought to the Court promptly.
4. The Special Master shall not receive briefing nor will he issue any written rulings or recommendation on any disputes.
5. Either party may have *ex parte* communications with the Special Master

concerning the discovery dispute the existence of which does not need to be disclosed to the adverse party.

6. Any fees and expenses of the Special Master shall be paid by both parties equally.

SO ORDERED:

 David R.
Herndon
2013.09.07
10:02:36 -05'00'

Chief Judge
United States District Court

Date: September 7, 2013