

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

**IN RE YASMIN AND YAZ
PMF
(DROSPIRENONE) MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

3:09-MD-02100-DRH-

MDL No. 2100

Judge David R. Herndon

This Document Applies to All Actions

CASE MANAGEMENT ORDER NO. 84

ORDER APPOINTING REPLACEMENT LEAD COUNSEL FOR DEFENDANTS

HERNDON, District Judge:

The Court **APPOINTS** Kaspar J. Stoffelmayr of the law firm Bartlit Beck Herman Palenchar & Scott LLP, as Defendants' Co-Lead Counsel for the Bayer defendants, replacing Adam L. Hoeflich of the law firm Bartlit Beck Herman Palenchar & Scott LLP.

The Court instructs the Clerk of the Court to add Mr. Stoffelmayr as Co-Lead Defense Counsel, representing the Bayer defendants, in the Master Case File and remove Adam L. Hoeflich¹.

¹ As a result, Mr. Stoffelmayr will have the ability to file pleadings in the Master Case File and will receive a Notice of Electronic Filing from the Court when there is activity in the Master Case File. All Notices of Electronic Filing will be mailed to the primary and secondary (if any) e-mail addresses that Mr. Stoffelmayr registers with the Court via CM/ECF. It is counsel's responsibility to "register" primary and secondary (if any) email addresses with the Court by entering the relevant email addresses in the attorney's User Account on CM/ECF.

As Co-Lead Counsel – representing the Bayer defendants – Mr. Stoffelmayr shall act as spokesperson for the Bayer Defendants at pretrial proceedings, periodic Court noticed status conferences, and in response to any inquiries by the Court. In addition, Mr. Stoffelmayr shall:

(1) Initiate, coordinate, and conduct all pretrial discovery on behalf of the Bayer defendants in all actions which are consolidated with the instant multi-district litigation.

(2) Cause to be issued in the name of the Bayer defendants the necessary discovery requests, motions, and subpoenas pertaining to any witnesses and documents needed to properly prepare for the pretrial of relevant issues found in the pleadings of this litigation.

(3) Conduct all discovery in a coordinated and consolidated manner on behalf and for the benefit of the Bayer defendants.

(4) Examine witnesses and introduce evidence at hearings behalf and for the benefit of the Bayer defendants.

(5) Perform other necessary administrative or logistic functions relating to the position of Co-Lead Counsel.

(6) Carry out any additional duty as ordered by the Court.

As to individual member actions, the Clerk of the Court shall apply the same procedures utilized previously for Lead Counsel Adam L. Hoeflich and currently for Co-Lead Counsel Joseph P. Thomas and Liaison Counsel Terry Lueckenhoff and John Galvin. Specifically, as Co-Lead Counsel representing the

Bayer defendants, Mr. Stoffelmayr may file pleadings in individual member actions without first filing a Written Entry of Appearance in the relevant member action (as required pursuant to Local Rule 83.1(f)). Once an answer or other responsive pleading is filed on behalf of a Bayer defendant in an individual member action, the Clerk of the Court will revise the docket in that member action to reflect that Mr. Stoffelmayr is Co-Lead Counsel for the Bayer defendant[s] in that member action. At that time, Mr. Stoffelmayr will begin receiving Notices of Electronic Filing when there is activity in that member action.²

IT IS SO ORDERED.

Signed this 7th day of November, 2016.


Digitally signed
by Judge David R.
Herndon
Date: 2016.11.07
16:00:15 -06'00'



United States District Judge

² Again, Notices of Electronic Filing will be mailed to the primary and secondary (if any) email address that Mr. Stoffelmayr registers with the Court via CM/ECF.