

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

| | | | |
|--------------------------------------|--|--|-------------|
| Name of Assigned Judge or Magistrate | Harry D. Leinenweber | Sitting Judge/Mag. If Other Than Assigned Judge/Mag. | |
| Case Number | MDL 874 (91 C 2431) | Date | May 8, 1991 |
| Case Title | IN CRE: CLOZAPINE ANTITRUST LITIGATION | | |

MOTION: [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3d-party plaintiff, and (b) state briefly the nature of the motion being presented]

| |
|--|
| |
| |
| |
| |

DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

| | | | |
|--|--|---|-----------------------|
| (1) <input type="checkbox"/> | Judgment is entered as follows: | (2) <input checked="" type="checkbox"/> | [Other docket entry:] |
| <p>ENTER ORDER NO. 2: All amended complaints on parens patriae cases, including any new cases, are to be filed by July 2, 1991. Defendants to answer or otherwise plead by August 1, 1991. By previous order, plaintiff Newell is to amend his complaint by June 3, 1991. Defendants' response due by July 3, 1991. Dauer and Newell are to file motions for class certification, with supporting documents, by June 3, 1991. Defendants' responses due July 18, 1991. Reply briefs due by August 1, 1991. Confidentiality orders to be submitted by May 17, 1991.</p> | | | |
| (3) <input type="checkbox"/> | Filed motion of [use listing in "MOTION" box above]. | | |
| (4) <input type="checkbox"/> | Brief in support of motion due _____ | | |
| (5) <input type="checkbox"/> | Answer brief to motion due _____ Reply to answer brief due _____ | | |
| (6) <input type="checkbox"/> | <input type="checkbox"/> Hearing <input type="checkbox"/> Ruling on _____ set for _____ at _____ | | |
| (7) <input checked="" type="checkbox"/> | Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input checked="" type="checkbox"/> set for <input type="checkbox"/> reset for <u>4 Sept. 91</u> at <u>1:30p.m.</u> | | |
| (8) <input type="checkbox"/> | Pretrial conference <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____ | | |
| (9) <input type="checkbox"/> | Trial <input type="checkbox"/> set for <input type="checkbox"/> reset for _____ at _____ | | |
| (10) <input type="checkbox"/> | <input type="checkbox"/> Bench trial <input type="checkbox"/> Jury trial <input type="checkbox"/> Hearing held and continued to _____ at _____ | | |
| (11) <input type="checkbox"/> | This case is dismissed <input type="checkbox"/> without <input type="checkbox"/> with prejudice and without costs <input type="checkbox"/> by agreement <input type="checkbox"/> pursuant to <input type="checkbox"/> FRCP 4(j) (failure to serve) <input type="checkbox"/> General Rule 21 (want of prosecution) <input type="checkbox"/> FRCP 41(a) (1) <input type="checkbox"/> FRCP 41(a)(2) | | |
| (12) <input checked="" type="checkbox"/> | (For further detail see <input type="checkbox"/> order on the reverse of <input checked="" type="checkbox"/> order attached to the original minute order form.) | | |

| | | | | |
|---|--|--|--------------------------|---|
| <input checked="" type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate. | courtroom deputy's initials  | Date/time received in central Clerk's Office | number of notices | Document # <div style="border: 1px solid black; height: 40px; width: 100%;"></div> |
| | | | date docketed | |
| | | | docketing dpty. initials | |
| | | | date mld. notices | |
| | | | mailing dpty. initials | |

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: CLOZAPINE ANTITRUST LITIGATION) CASE NO. MDL-874
)
) THIS DOCUMENT RELATES
) TO:

ORDER NO. 2

Initial status hearing having been held and concluded, **IT IS
HEREBY ORDERED:**

1. The letter submitted to the court by Laurel A. Price for the State of New Jersey, dated April 25, 1991, and the letter submitted by Michael Sennett of Bell, Boyd & Lloyd, dated May 1, 1991, are stricken.

2. **Organization.** The state plaintiffs have agreed that the parens patriae cases assigned to this court on April 9, 1991, together with the parens patriae cases assigned to this court on April 29, 1991, are to be organized and represented in these proceedings by a Case Management committee, headed by the Assistant Attorney General for the State of New York, Robert L. Hubbard, who has also been designated as Administrative Liaison counsel. Plaintiffs Dauer and Newell and their counsel are designated as Co-Administrative Liaison for the private plaintiffs.

3. **Service of Documents.** Service of all documents is to be made to each member of the Case Management committee by Federal Express. Other counsel are to be served by next day regular U.S. Mail. Service on defendants by plaintiffs is to be made by Federal Express.

4. **Filing of Documents.** All amended complaints on parens patriae cases, including any new cases, are to be filed by July 2, 1991. Defendants to answer or otherwise plead by August 1, 1991. By previous order, plaintiff Newell is to amend his complaint by June 3, 1991. Defendants' response is due by July 3, 1991.

5. **Class Certification.** Dauer and Newell are to file motions for class certification, with supporting documents, by June 3, 1991. Defendants' responses due July 18, 1991. Reply briefs due by August 1, 1991.

6. **Discovery.** Defendants shall have until June 3, 1991 to produce documents, answer interrogatories and requests to admit. Defendants may commence discovery immediately on the issue of class certification. Depositions on the merits are stayed until July 19, 1991.

7. Parties are to submit confidentiality orders by May 17, 1991.

IT IS SO ORDERED.


HARRY D. LEINENWEBER, Judge
United States District Court

MAY 8 - 1991

DATED: _____