

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	Date	April 16, 1991
Case Title	IN RE: 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]

<p>[Empty space for motion details]</p>		<p>RECEIVED APR 29 1991 ANTITRUST BUREAU</p>

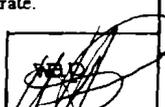
DOCKET ENTRY: (The balance of this form is reserved for notations by court staff.)

(1) Judgment is entered as follows: (2) [Other docket entry:]

ENTER ORDER NO. I.

[Empty space]	
[Empty space]	
[Empty space]	

(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 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>3 May 91</u> at <u>1:30 p.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 type="checkbox"/>	(For further detail see <input type="checkbox"/> order on the reverse of <input 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 date docketed docketing dpty. initials date mtd. notices mailing dpty initials	Document # <div style="border: 1px solid black; height: 40px; width: 100%;"></div>

(b) **Service List.** A list of the names and addresses of the persons to whom this order is being mailed is appended as Attachment B. Counsel are request to advise the Clerk of any additions or corrections to this list and to forward a copy of this order to any other attorneys or parties who should be notified, including those in any additional related cases that may be filed in, removed to, or transferred to this court before the conference.

(c) **Other Participants.** Persons who are not named as parties in this litigation but may later be joined as parties or are parties in related litigation pending in other federal and state courts are invited to attend in person or by counsel.

2. **Purposes; Agenda.** The conference will be held for the purposes specified in Fed.R.Civ.P. 16(a), 16(b), 16(c), and 26(f) and subject to the sanctions prescribed in Rule 16(f). A tentative agenda is appended as Attachment C. Counsel are encouraged to advise the court as soon as possible of any items that should be added to the agenda.

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(a) **Procedures for Complex Litigation.** Counsel should familiarize themselves with the Manual for Complex Litigation, Second, and be prepared at the conference to suggest procedures that will facilitate the expeditious, economical, and just resolution of this litigation.

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(c) **Preliminary Reports.** Counsel to each separate case shall submit to the court by April 26, 1991, a brief written statement indicating the individual status of their cases with respect to pleadings, motions, and discovery, and their preliminary understanding of the facts involved in the litigation and what they expect to be the critical factual and legal issues. These statements will not be binding, will not waive claims or defenses, and may not be offered in evidence against a party in later proceedings.

4. **Interim Measures.** Until otherwise ordered by the court:

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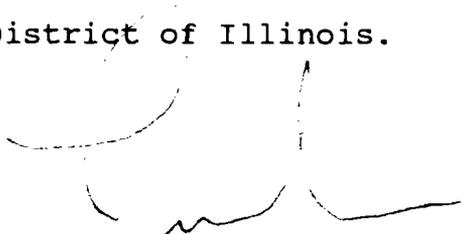
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(d) **Preservation of Records.** Each party shall preserve all documents and other records containing information potentially relevant to the subject matter of this litigation.

5. **Later Filed Cases.** This order shall also apply to related cases later filed in, removed to, or transferred to this court.

6. **Other Provisions.** Counsel should be aware of the local rules applicable in the Northern District of Illinois.

DATED: APR 16 1991



Harry D. Leinenweber, Judge
United States District Court

Attachments: A, B, and C.

ATTACHMENT A

MDL-874 -- In re Clozapine Antitrust Litigation

Northern District of Illinois

1) Victor Dauer, et al v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 6412

Southern District of New York

2) Richard Newell, et al v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 7724

3) State of Minnesota v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8055

4) State of California v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8060

5) State of Colorado v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8079

6) State of Connecticut v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8062

7) State of Florida v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8063

8) State of Iowa v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8064

9) State of Maine v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8065

10) State of Maryland v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8067

11) State of Massachusetts v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8069

12) State of New Hampshire v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8071

13) State of New Jersey v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8073

14) State of New York v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8074

15) State of North Carolina v. Sandoz Pharmaceuticals, Inc., et al, Case No. 90 C 8092

16) State of Ohio v. Sandoz Pharmaceuticals, Inc., et al, Case

No. 90 C 8075

17) State of Oregon v. Sandoz Pharmaceuticals, Inc., et al,
Case No. 90 C 8076

18) State of Pennsylvania v. Sandoz Pharmaceuticals, Inc., et
al, Case No. 90 C 8077

19) State of Tennessee v. Sandoz Pharmaceuticals, Inc., et al,
Case No. 90 C 8080

20) State of Texas v. Sandoz Pharmaceuticals, Inc., et al,
Case No. 90 C 8081

21) State of Utah v. Sandoz Pharmaceuticals, Inc., et al, Case
No. 90 C 8082

22) State of Virginia v. Sandoz Pharmaceuticals, Inc., et al,
Case No. 90 C 8084

23) State of Washington v. Sandoz Pharmaceuticals, Inc., et
al, Case No. 90 C 8086

24) State of West Virginia v. Sandoz Pharmaceuticals, Inc.,
et al, Case No. 90 C 8087

25) State of Wisconsin v. Sandoz Pharmaceuticals, Inc., et al,
Case No. 90 C 8089

ATTACHMENT B

SERVICE LIST

Counsel for Plaintiff VICTOR DAUER:

Perry Goldberg, Esq.
Granvil I. Specks, Esq.
SPECKS & GOLDBERG
Suite 3500
10 South Wacker Drive
Chicago, IL 60606

Gary L. Specks, Esq.
Richard A. Sloan, Esq.
ALTHEIMER & GRAY
Suite 4000
10 South Wacker Drive
Chicago, IL 60606

Michael J. Freed, Esq.
MUCH, SHELIST, FREED, DENENBERG,
AMENT & EIGER, P.C.
Suite 2100
200 North LaSalle Street
Chicago, IL 60601

Robert Skirnick, Esq.
WESCHLER, SKIRNICK, HARWOOD,
HALEBIAN & FEFFER
18th Floor
555 Madison Avenue
New York, NY 10022

Steven J. Greenfogel, Esq.
MEREDITH & COHEN
117 South 17th Street
Philadelphia, PA

Guido Saveri, Esq.
SAVERI & SAVERI
1 Market Plaza - 39th Floor
Spear Street Tower
San Francisco, CA 94104

Counsel for Plaintiff RICHARD NEWELL

Arnold Levin, Esq.
Howard J. Sedran, Esq.
Michael D. Fishbein, Esq.
LEVIN, FISHBEIN, SEDRAN & BERMAN
Suite 600
320 Walnut Street
Philadelphia, PA 19106

Jerry S. Cohen, Esq.
Michael D. Hausfield, Esq.
COHEN, MILSTEIN, HAUSFIELD,
& TOLL
Suite 600
1410 New York Avenue, NW
Washington, D.C. 20005

Kathleen Mullen, Esq.
2nd Floor
161 Downing Street
Denver, CO 80218

Robert N. Kaplan, Esq.
Richard J. Kilsheimer, Esq.
KAPLAN & KILSHEIMER
685 Third Avenue
New York, NY 10017

Counsel for Defendant SANDOZ PHARMACEUTICALS

Michael K. Murtaugh, Esq.
Thomas R. Nelson, Esq.
Donald J. Hayden, Esq.
BAKER & MCKENZIE
One Prudential Plaza
130 East Randolph Street
Chicago, IL 60601

Dan Shulman, Esq.
GRAY, PLANT, MOOTY, MOOTY
& BENNETT
3400 City Center
33 South 6th Street
Minneapolis, MN 55402

Counsel for CAREMARK, INC.

Michael Sennett, Esq.
BELL, BOYD & LLOYD
3 First National Plaza
Suite 3200
70 West Madison Street
Chicago, IL 60602

ATTORNEYS' GENERAL

State of California, Case No. 90 C 8060 (S.D.N.Y.)

Mr. Thomas Green
Supervising Deputy Attorney General
1515 K Street, Suite 511
P.O. Box 944255
Sacramento, CA 94244-2550

State of Colorado, 90 C 8079 (S.D.N.Y.)

Mr. James R. Lewis
Assistant Attorney General
Business Regulation Unit
Enforcement Section
110 - 16th Street, 10th Floor
Denver, CO 80202

State of Connecticut, 90 C 8062 (S.D.N.Y.)

Mr. Steven M. Rutstein
Assistant Attorney General
110 Sherman Street
Hartford, CT 06105

State of Florida, 90 C 8063 (S.D.N.Y.)

Mr. Jerome Hoffman
Assistant Attorney General
Chief, Antitrust Bureau
Sutton Building, Suite 108
2670 Executive Center Circle, W.
Tallahassee, FL 32301

State of Iowa, 90 C 8064 (S.D.N.Y.)

Mr. John R. Perkins
Deputy Attorney General
Hoover State Office Building
Des Moines, IA 50319

State of Maine, 90 C 8065 (S.D.N.Y.)

Mr. Francis E. Ackerman
Assistant Attorney General
Consumer & Antitrust Division
State House Station 6
August, ME 04333

State of Maryland, 90 C 8067 (S.D.N.Y.)

Ms. Ellen S. Cooper
Assistant Attorney General
Deputy Chief, Antitrust Division
19th Floor
200 St. Paul Place
Baltimore, MD 21202

Commonwealth of Massachusetts, 90 C 8069 (S.D.N.Y.)

Mr. George K. Weber
Assistant Attorney General and
Chief Antitrust Division
Commonwealth of Massachusetts
One Ashburton Place
Boston, MA 02108

State of Minnesota, 90 C 8055 (S.D.N.Y.)

Mr. Thomas F. Pursell
Assistant Attorney General
200 Ford Building
117 University Avenue
St. Paul, MN 55155

State of New Hampshire, 90 C 8071 (S.D.N.Y.)

Mr. Terry L. Robertson
Sr. Assistant Attorney General
Mr. Walter L. Maroney
Staff Attorney
Office of the Attorney General
Consumer Protection & Antitrust Bureau
25 Capitol Street
Concord, NH 03301

State of New Jersey, 90 C 8073 (S.D.N.Y.)

Laurel A. Price
Deputy Attorney General
Division of Criminal Justice
25 Market Street -- CN 085
Trenton, NJ 08625

State of New York, 90 C 8074 (S.D.N.Y.)

Mr. Robert L. Hubbard
Assistant Attorney General
Antitrust Bureau
120 Broadway, Suite 2601
New York, NY 10271

State of North Carolina, 90 C 8092 (S.D.N.Y.)

Mr. James C. Gulick
Special Deputy Attorney General
NC Department of Justice
200 New Bern Avenue
P.O. Box 629
Raleigh, NC 27602

State of Ohio, 90 C 8075 (S.D.N.Y.)

Mr. Mitchell L. Gentile
Assistant Attorney General
Antitrust Section
65 East State Street, Suite 708
Columbus, OH 43266-0590

State of Oregon, 90 C 8076 (S.D.N.Y.)

Mr. Andrew E. Aubertine
Assistant Attorney General
OR Department of Justice
Financial Fraud Section
100 Justice Building
Salem, OR 97310

Commonwealth of Pennsylvania, 90 C 8077 (S.D.N.Y.)

Mr. Eugene F. Waye
Chief Deputy Attorney General
Antitrust Section
Office of AG-Antitrust Section
Commonwealth of PA
1435 Strawberry Square
Harrisburg, PA 17120

State of Tennessee, 90 C 8080 (S.D.N.Y.)

Mr. Perry A. Craft
Deputy Attorney General
450 James Robertson Parkway
Nashville, TN 37243-0485

State of Texas, 90 C 8081 (S.D.N.Y.)

Ms. Holly Lee Wiseman
Assistant Attorney General
Antitrust Division
TX Attorney General's Office
Box 12548
Austin, TX 78711-2548

State of Utah, 90 C 8082 (S.D.N.Y.)

Ms. Patrice M. Arent
Assistant Attorney General
State of UT
236 State Capitol
Salt Lake City, UT 84114

Commonwealth of Virginia, 90 C 8084 (S.D.N.Y.)

Mr. Milton A. Marquis
Assistant Attorney General
Antitrust & Consumer
Litigation Section
101 North 8th Street
Richmond, VA 23219

State of Washington, 90 C 8086 (S.D.N.Y.)

Ms. Carol A. Smith
Assistant Attorney General
900 Fourth Avenue, Suite 2000
Seattle, WA 98164

State of West Virginia, 90 C 8087 (S.D.N.Y.)

Mr. Robert W. Schulenberg III
Sr. Assistant Attorney General
Antitrust Division
812 Quarrier Street, 5th Floor
Charleston, WV 25301

State of Wisconsin, 90 C 8089 (S.D.N.Y.)

Mr. Kevin J. O'Connor
Assistant Attorney General
114 East Street
State Capitol Box 7857
Madison, WI 53707

ATTACHMENT C

AGENDA

1. **Organization of Counsel.** Discuss possible organization of plaintiffs' counsel in order to avoid duplication of effort and travel.

2. **Service of documents.**

3. **Pleadings.** The current status of the complaints and any amendments that needed to be made. Whether defendants intend to answer or contest the complaint with a motion pursuant to Rule 12 of the Fed.R.Civ.P.

4. **The status of class allegations.**

5. **Discovery.** Establishment of procedures to facilitate prompt and efficient resolution of discovery disputes. Establishment of schedules, venue, and procedures for depositions.

6. **Confidentiality orders.**

7. **Designations of Experts.** Designations of Experts.

8. **Documents.** Preservation, production, numbering, and possession.

9. **Problems that may be encountered down the road.**

10. **Other matters.**

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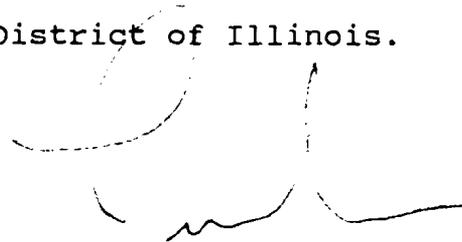
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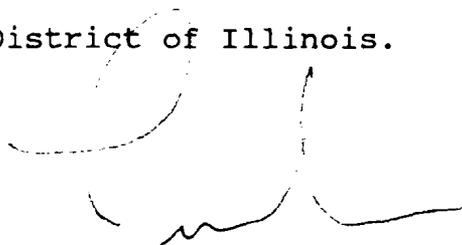
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