

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: PROPULSID PRODUCTS : **MDL NO. 1355**
LIABILITY LITIGATION :
 : **SECTION: L**
THIS DOCUMENT RELATES TO :
ALL CASES : **JUDGE FALLON**

CORRECTED
ORDER TO SHOW CAUSE
REGARDING PRO SE PLAINTIFFS

THIS IS AN IMPORTANT COURT ORDER.

PLEASE READ IT CAREFULLY.

You¹ have filed a lawsuit regarding the drug Propulsid against defendants Janssen, L.P.² and Johnson & Johnson ("Defendants"). Your lawsuit has been joined with many similar lawsuits in a legal proceeding before this Court.

This Order tells you what you must do if you want to proceed with your Propulsid lawsuit. If you choose to pursue your case further, you must do one of two things. If you do not do so, your lawsuit will be dismissed with prejudice and neither you nor someone on your behalf will be permitted to file another Propulsid lawsuit. "Dismissal with

¹ This Order addresses those pro se plaintiffs who are in the MDL and are currently: (1) not represented by counsel, and (2) not enrolled in the Program. A complete list of these plaintiffs (hereafter the "Pro Se Plaintiffs") is attached as Exhibit E.

² Janssen, L.P. was originally sued as Janssen Pharmaceutica Inc.

SF1\358652\2

Fee _____
 Process _____
 Dktd _____
 CRmDen _____

Rules of Civil Procedure and provide an appropriately executed Medical Authorization Form (personal injury claimants should complete Exhibit C and wrongful death claimants should complete Exhibit D) to Defendants within 30 days from the date the Notice of Election Form is signed.

This Application addresses those *pro se* plaintiffs who are in the MDL and are currently: (1) *not represented* by counsel, and (2) *not enrolled* in the Program. A complete list of these plaintiffs (hereafter the "Pro Se Plaintiffs") is attached as Exhibit E.

IF YOU DO NOT CHOOSE ONE OF THESE OPTIONS WITHIN THE 60 DAY PERIOD, YOUR PROPULSID LAWSUIT WILL BE DISMISSED WITH PREJUDICE AND NEITHER YOU NOR ANYBODY ACTING ON YOUR BEHALF WILL BE PERMITTED TO FILE ANOTHER PROPULSID LAWSUIT, UNLESS YOU SHOW THE COURT GOOD CAUSE BY APPEARING BEFORE THIS COURT, at 9:00 a.m. on January 3, 2007, in Courtroom C-456, U.S. Federal Building, 500 Poydras Street, New Orleans, Louisiana 70130.

UPON ENTRY OF THE ORDER TO SHOW CAUSE, DEFENDANTS SHALL SERVE A COPY OF THIS ORDER ON ALL PRO SE PLAINTIFFS FOR WHOM THEY HAVE ADDRESSES OR OTHER CONTACT INFORMATION. AS TO THOSE PRO SE PLAINTIFFS FOR WHOM THERE IS NO ADDRESS OR OTHER CONTACT INFORMATION, DEFENDANTS SHALL PUBLISH THIS ORDER (A) INFORMING THEM TO VISIT THE COURT WEBSITE OR CONTACT THE CURATOR TO OBTAIN IMPORTANT INFORMATION REGARDING THEIR PROPULSID LAWSUITS³, AND (B) WARNING THEM THAT IF THEY DO NOT

³ This Order to Show Cause, the Notice of Election Form and all other documents associated with this Order will be posted on the Court's website and will be made available through the Curator.

prejudice” means that your lawsuit will be dismissed and that you will further be barred from asserting any rights to any claim against defendants arising out of your use of Propulsid®.

If you want to proceed with your Propulsid® lawsuit, you must do one of the following:

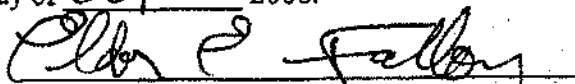
- (1) Notify the Special Master at Special Master’s Office, 400 Poydras Street, Suite 2820, New Orleans, LA, 70103; (504) 586-7995 (phone); (504) 586-1998 (fax) that you intend to enroll in the MDL Resolution Program (hereafter the “Program”) by completing the Notice of Election Form (attached hereto as Exhibit A) and mailing it as directed on the form. If you choose to enroll in the Program you must comply with the provisions of the MDL Term Sheet and serve your Enrollment Form and the Notice of Election Form within sixty days from entry of this Order to Show Cause. The MDL Term Sheet and the Enrollment Form are available on the court’s website at [“http://propulsid.laed.uscourts.gov/forms.htm”](http://propulsid.laed.uscourts.gov/forms.htm).

OR

- (2) Notify the Special Master at Special Master’s Office, 400 Poydras Street, Suite 2820, New Orleans, LA, 70103; (504) 586-7995 (phone); (504) 586-1998 (fax) that you intend to pursue your case, pro se or with new counsel, rather than enroll in the Program, by completing the Notice of Election Form (attached hereto as Exhibit A) and mailing it as directed on the form within 60 days from the date of entry of this Order to Show Cause. If you choose this option you must then respond to Interrogatories (attached hereto as Exhibit B) pursuant to the Federal

DO SO THEIR LAWSUTTS WILL BE DISMISSED WITH PREJUDICE AND THEY
WILL NOT BE PERMITTED TO FILE ANOTHER PROPULSID LAWSUIT.
PUBLICATION OF THIS NOTICE WILL TAKE PLACE ON THE SAME DAY AS
ENTRY OF THIS ORDER.

New Orleans, Louisiana, this 23 day of Oct 2006.



JUDGE ELDON E. FALLON
UNITED STATES DISTRICT COURT JUDGE