

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

**In Re: TAXOTERE (DOCETAXEL)
PRODUCTS LIABILITY
LITIGATION**

MDL NO. 2740

SECTION “N” (5)

**THIS DOCUMENT RELATES TO
ALL CASES**

PRETRIAL ORDER NO. 56
(Issuance of Summons with Corrected Defendants’ Names)

On July 14, 2017, Plaintiffs’ Liaison Counsel filed a “Stipulation Concerning Amendments to Plaintiffs’ Master Long Form Complaint, Exemplar Short Form Complaint and Plaintiffs’ Fact Sheet” (Rec. Doc. 642), which informed the Court that counsel would amend the Master Long Form Complaint and Exemplar Short Form Complaint to (1) replace Defendant Hospira Worldwide, Inc. *with* Hospira Worldwide, LLC f/k/a Hospira Worldwide, Inc.; (2) remove Defendant Sun Pharma Global Inc.; (3) replace Defendant Caraco Pharmaceutical Laboratories Ltd. *with* Sun Pharmaceutical Industries, Inc. f/k/a Caraco Pharmaceutical Laboratories Ltd.; and (4) replace Defendant Allergan Finance LLC f/k/a Actavis Inc. *with* Actavis LLC f/k/a Actavis Inc. Subsequently, the Court issued Pretrial Order No. 55 (Rec. Doc. 688) on July 26, 2017, allowing Plaintiffs to make such amendments.

To facilitate such changes in the Court’s CM/ECF system, the parties are to provide a list of cases that named the Defendants to be replaced, so that the Defendants being dismissed without prejudice may be terminated in any individual member case and the substituted Defendants may be added therein. The parties will do so within sixty (60) days of filing Plaintiffs’ Amended Master Long Form and Short Form Complaints. Furthermore, due to these amendments, the Court has

issued Pretrial Orders No. 32A (Rec. Doc. 710), 39A (Rec. Doc. 711), 40A (Rec. Doc. 509), which correct the Defendants' names in the orders concerning streamlined service of process that were previously issued by this Court.¹

Given the large number of cases that require Defendants' names to be corrected in the system, the Clerk's Office will need a reasonable time within which to complete all amendments. Moreover, given the deadlines for counsel to complete streamlined service of process on Defendants, the Clerk's Office may receive a Request for Summons as to a Defendant whose name has not yet been corrected in the CM/ECF system. In order to comply with Rule 4 of the Federal Rules of Civil Procedure, the Clerk's Office will not issue a Summons to a party whose name does not appear within a member case through the CM/ECF system. However, at this time, in order to facilitate the issuance of summons without undue or unnecessary delay, **IT IS ORDERED** that:

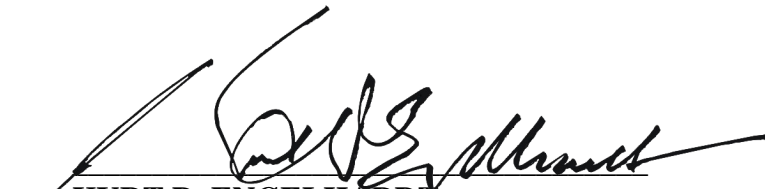
- (1) The Court authorizes the Clerk's Office to issue a Summons to a Defendant whose name has not yet been corrected within the Court's CM/ECF system²;
- (2) Counsel shall refer to the Clerk's Office's instructions, attached to this Order as "Exhibit A," for guidance in how to request such Summons through the Court's CM/ECF system;

¹ The Court previously issued Pretrial Order Nos. 32 (Rec. Doc. 307), 39 (Rec. Doc. 327), and 40 (Rec. Doc. 328), which governed the procedure for streamlined service of process on various Defendants.

² This Order applies only to those cases in which a Defendant has been previously named in the member case, but the name of the Defendant has not yet been corrected by the Clerk's Office to reflect the amendment to the party name as provided by the parties' stipulation (Rec. Doc. 642) and Pretrial Order No. 55 (Rec. Doc. 688). For example, this Order would be applicable to a member case in which Caraco Pharmaceutical Laboratories Ltd. was previously named as a Defendant, but the Clerk's Office has not yet amended the member case to reflect the name of the Defendant as Sun Pharmaceutical Industries, Inc. f/k/a Caraco Pharmaceutical Laboratories Ltd.

(3) When filing a Request for Summons, counsel shall use the “Taxotere Request for Summons” form, attached to this Order as “Exhibit B.”

New Orleans, Louisiana, this 2nd day of August, 2017.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE

Taxotere: MDL 2740 Request for Summons on Newly Substituted Defendants

1. Filing attorney must file a completed Request for Summons form and Summons form.
2. Enter the member case number in which the Summon applies.
3. Under Service of Process Category Select – Request for Summons issued.

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Available Events (click to select an event)

Affidavit of Service
Certificate of Service
Request for Summons Issued
Seizure Warrant Issued
Seizure Warrant Returned Executed
Seizure Warrant Returned Unexecuted
Service by Publication
Statement
Summons Issued
Summons Returned Executed
Summons Returned Executed as to USA or Agency of USA
Summons Returned Unexecuted
Taxotere Amended Complaint
Waiver of Service Executed
Waiver of Service Unexecuted

Selected Event

Request for Summons Issued

Next Clear

4. Attach the completed Request for Summons form as the Main Document and the prepared summon(s) as an attachment.
5. Select the appropriate filer(s) at the prompt.
6. Select the "New Party" tab to add newly substituted defendant at the prompt, "Select the party as to whom summons ISSUED."

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Pick Party

Collapse All Expand All

Aventis Pharma S.A. dft
[REDACTED] pla
Sanofi S.A. dft
Sanofi US Services Inc. dft
Sanofi-Aventis U.S. L.L.C. dft

Select the party as to whom summons ISSUED

Select the Party:

Aventis Pharma S.A. [dft]
[REDACTED] [pla]
Sanofi S.A. [dft]
Sanofi US Services Inc. [dft]
Sanofi-Aventis U.S. L.L.C. [dft]

Next Clear **New Party**

- Enter Party name in Last/Business Name field (Party alias should not be included as the named party)

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- Select correctly named party listed in the Search Results.
- Select the “Create New Party” tab.
- Proceed accordingly through the docketing screens
- Select the most recent Complaint/Amended Complaint at the prompt, “Select the appropriate event(s) to which your event relates.”

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Select the appropriate event(s) to which your event relates:

10/19/2016 [1](#) COMPLAINT against SANOFI S.A., AVENTIS PHARMA S.A., SANOFI US SERVICES INC., SANOFI-AVENTIS U.S. LLC (Filing and Admin fee \$ 400 [Redacted] [Transferred from njd on 11/16/2016.]

10/24/2016 [3](#) [Redacted]

10/24/2016 [4](#) [Redacted] LY

11/16/2016 [6](#) Case transferred in from District of New Jersey; Case Number 3:16-cv-07510. Electronic file certified copy of transfer order and docket sheet received (cml)

12. Review your final docket text and submit entry.

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Request of Summons Issued as to Sun Pharmaceutical Industries, Inc filed by
[REDACTED] re [1] Complaint .

(cml)

Next

Clear

Please contact the Court if further assistance is required.

Taxotere MDL Helpline 504-589-7715

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: TAXOTERE (DOCETAXEL)
PRODUCTS LIABILITY
LITIGATION

MDL NO. 2740

SECTION "N" (5)

THIS DOCUMENT RELATES TO

TAXOTERE REQUEST FOR SUMMONS

Please (issue) (re-issue) summons on the (__ complaint) (__ amended complaint) pursuant to
PTO # 53 and PTO#55 for the substitution of the originally named defendant _____

Select new party to be served

___ 1. (name) Hospira Worldwide, LLC fka Hospira Worldwide Inc.
(address) _____

___ 2. (name) Sun Pharmaceutical Industries, Inc fka Caraco Pharmaceutical Laboratories Ltd
(address) _____

___ 3. (name) Actavis LLC fka Actavis Inc.
(address) _____

___ 4. (name) _____
(address) _____

Very truly yours,

Signature

Attorney _____

Address _____
