

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA
2007 AUG -2 PM 2:36
LORETTA G. WHYTE
CLERK

IN RE: VIOXX : MDL NO. 1657
PRODUCTS LIABILITY LITIGATION : SECTION: L (3)
: JUDGE FALLON
: MAG. JUDGE KNOWLES
..... :

THIS DOCUMENT RELATES TO ALL CASES

ORDER

On July 3, 2007, the Court entered the Special Master's Report & Recommendations into the record, which addressed Merck's privilege claims for approximately 2,000 representative documents selected by Merck, as well as approximately 600 additional documents selected by the PSC and believed to be relevant to upcoming trial preservation depositions. *See* Rec. Doc. 11566.

Thereafter, on July 18, 2007, Merck filed a Motion to Adopt in Part the Special Master's Report and Recommendations and Merck's Objections. *See* Rec. Doc. 11729. The Court is in the process of reviewing the Special Master's Report and Recommendations and Merck's objections.

In addition, on July 16, 2007, and with the permission of the Court, Defendant's Liaison Counsel sent a letter to the Special Master requesting clarification on certain alleged factual errors and inconsistencies in the Recommendations. Special Master Rice has now completed his re-review of the specific documents identified in the July 16 letter and has delivered to the Court

Fee _____
Process _____
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CtRmDep _____
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his Third Report and his Amended Recommendations (Amended Appendix I) for each individual document.

The Court now issues this Order (1) to relieve the Special Master of his duty under Rule 53(f) to serve copies of his Third Report and his Amended Recommendations on the parties; (2) to file the attached Third Report and Amended Recommendations (Amended Appendix I) into the record; and (3) to provide that, pursuant to Rule 53(g)(2), the parties shall file any objections to the Third Report and Amended Recommendations no later than **ten (10) days** from today's date, that is, by August 12, 2007. Any such objections shall be limited to those documents identified in the July 16 letter and re-reviewed by the Special Master.

New Orleans, Louisiana, this 2nd day of August, 2007.

A handwritten signature in black ink, appearing to read "Edna E. Fallon", written over a horizontal line.

UNITED STATES DISTRICT JUDGE