

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER NO. 14
NOTICE TO COUNSEL IN ALL CASES

I. APPLICABILITY OF ORDER

This Order shall govern all cases (1) transferred to this Court by the Judicial Panel on Multidistrict Litigation, pursuant to its Order of February 16, 2005; (2) any tag-along actions subsequently transferred to this Court by the Judicial Panel on Multidistrict Litigation pursuant to Rule 7.4 of the Rules of Procedure of that Panel; and (3) all related cases originally filed in this Court or transferred or removed to this Court.

II. FILING OF PRE-TRIAL ORDER NO. 14

A copy of this Order shall be filed in each case transferred to this District and shall apply to all such cases removed to, or transferred to, this Court and cases filed in this Court that are within the subject matter of this MDL. In cases subsequently filed, a copy will be provided by the Clerk to each Plaintiff at the time of filing the complaint. In cases subsequently removed or transferred to this Court, a copy will be provided by the Clerk to each new party upon removal or transfer.

III. LEXIS NEXIS FILE & SERVE

The Court has been informed that a number of counsel have not complied with the registration provisions of paragraph 2 of Pretrial Order No. 8, which was entered on April 8, 2005. Lexis Nexis File & Serve was activated and utilized for all service in this litigation on Wednesday, May 11, 2005 at 9:00 a.m. As of that date, all service is to be accomplished by uploading filings to File & Serve in accordance with Pretrial Order No.8. Liaison Counsel has continued to serve documents on the non-registered attorneys on their respective service lists to accommodate late registrants. Effective June 1, 2005, PLC and DLC will discontinue such service and all service shall be by Lexis Nexis File & Serve. Further the Court's Orders and Minute Entries shall be uploaded by DLC to File & Serve for access by all registered users. It is the responsibility of all counsel to register with File & Serve in order to receive the Court's Orders and Minute Entries and service of pleadings in this case. *See* PreTrial Order No. 8, which can be found on the Court's MDL 1657 website located at <http://vioxx.laed.uscourts.gov> . Accordingly,

IT IS ORDERED that effective June 1, 2005, all service shall be by Lexis Nexis File & Serve. Attorneys who fail to register will no longer receive service of documents filed in the MDL. PLC shall continue to serve any non-represented institutionalized plaintiffs.

IT IS FURTHER ORDERED that all counsel shall immediately update and notify PLC and DLC whenever the contact information required by PreTrial Order 5A changes.

IV. NOTICE TO ALL COUNSEL

Copies of all Pretrial Orders entered in this case, copies of some of the Court's Minute Entries and other important information, are or will be posted on the Court's MDL 1657 website located at <http://vioxx.laed.uscourts.gov>. It is the responsibility of all counsel to regularly check the website and to familiarize themselves and comply with all orders governing this case. These orders apply to all cases presently filed as well as all subsequently filed. Further,

IT IS ORDERED that Paragraph 10 of Pretrial Order No. 1 regarding DOCKETING is hereby AMENDED as follows:

DOCKETING -- When an action that properly belongs as part of In Re: VIOXX Products Liability Litigation is hereinafter filed in the Eastern District of Louisiana or transferred here from another court, the Clerk of this Court shall:

- a. Place a copy of this Order (Pretrial Order No. 14) in the separate file for such action;
- b. Make an appropriate entry on the master docket sheet;
- c. Mail or e-mail to all counsel in the newly filed or transferred case a copy of this Order (Pretrial Order No. 14).

NEW ORLEANS, this 26th day of May, 2005.



ELDON E. FALLON
UNITED STATES DISTRICT JUDGE