

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

**IN RE: XARELTO (RIVAROXABAN)
PRODUCTS LIABILITY LITIGATION**

MDL No. 2592

SECTION L

**THIS DOCUMENT RELATES TO
ALL CASES**

JUDGE ELDON E. FALLON

MAG. JUDGE NORTH

**PRETRIAL ORDER NO. 23B
PROTOCOL FOR TELEPHONIC DEPOSITIONS
OF CMO6 DETAIL REPRESENTATIVES**

The Parties having consented, stipulated, and agreed to entry of the within Order, and good cause appearing therefore,

IT IS on this 15th day of February 2019, **ORDERED** as follows:

FOR ANY DEPOSITIONS OF DEFENDANTS' DETAIL REPRESENTATIVES THAT PLAINTIFFS REQUEST TO BE TAKEN TELEPHONICALLY, THE FOLLOWING PROTOCOL SHALL BE FOLLOWED:

1. Plaintiff's counsel shall give notice to Defendants' counsel no less than 72 hours before the deposition of the detail representative that Plaintiff intends to take the deposition by telephone.

2. The handling of exhibits used in any CMO 6 detail representative deposition done by telephone must comply with the Paragraphs 40 and 41 of PTO 23. Any counsel who notices a telephonic deposition must take the necessary steps to ensure that three (3) copies of any exhibits counsel foreseeably intends to use with the witness are available at the deposition so that the witness and defense counsel will be provided with hard copies of the exhibits.

3. The speakerphone arranged for the deposition shall be a system allowing all participants to communicate and be heard without static or interference. If Defendants incur costs

for obtaining a speakerphone for the deposition, Plaintiff will reimburse any such reasonable costs promptly after submission by Defendants.

4. Any telephonic deposition must be conducted by Plaintiff's counsel from a landline and not by cellular/mobile phone, and Plaintiff's counsel shall be in a setting free of excessive background noise during the deposition. Only counsel, or paralegal or staff assisting any counsel, may attend the deposition at the site of the deposition, and all such individuals must be identified on the record.

5. There will be no videotaping or videoconferencing of the witness if the Plaintiff's counsel attends telephonically.

IT IS SO ORDERED.

NEW ORLEANS, LOUISIANA this 15th day of February 2019.


HONORABLE ELDON E. FALLON
UNITED STATES DISTRICT JUDGE