

**MINUTE ENTRY  
FALLON, J.  
SEPTEMBER 13, 2005**

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

**IN RE: VIOXX  
PRODUCTS LIABILITY LITIGATION**

\* **MDL NO. 1657**  
\*  
\* **SECTION: L(3)**  
\*  
\* **JUDGE FALLON**  
\* **MAG. JUDGE KNOWLES**

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**THIS DOCUMENT RELATES TO ALL CASES**

A telephone status conference was held on this date in the Chambers of Judge Eldon E. Fallon in Houston, Texas. Russ Herman, Andy Birchfield, Arnold Levin, and Elizabeth Cabraser participated on behalf of the Plaintiffs. Phil Wittmann, John Beisner, Ted Mayer, and Doug Marvin participated on behalf of the Defendants. The following matters were discussed: Plaintiff Profile Form extensions, expedited requests for production, expedited answers to interrogatories, discovery in the New Jersey state proceeding, the status of MDL class actions, the privilege log, access to the MDL Detailer List, letters from Merck to deatilers no longer employed by Merck, the location of the *Irvin* trial, and the next monthly status conference.

After discussing these issues, the parties agreed that answers to the Plaintiffs' discovery would be filed by September 15, 2005; that the Plaintiffs' Liaison Counsel will serve as the Plaintiffs' representative in coordinating all expedited discovery; and that the Defendants would produce all the requested expedited discovery or a specific objection to such discovery by

September 15, 2005.

In addition, the parties agreed to a schedule concerning the Master Class Action Complaints. This schedule will be memorialized in a future pre-trial order. Moreover, after considering the foregoing issues,

IT IS ORDERED that the parties shall initiate their September 22, 2005 Privilege Log Meeting without a court reporter. A court reporter, however, will be available and used if the parties cannot reach agreement on any specific item. Furthermore,

IT IS ORDERED that the PLC shall submit to the Court a letter addressing its position on access to the MDL Detailer List and letters from Merck to its detailers who are no longer employed by September 14, 2005. The Defendants' Liaison Counsel ("DLC") shall submit a response to this letter by September 15, 2005. Furthermore,

IT IS ORDERED that the PLC and DLC shall exchange proposed agendas for each status conference at least two days prior to the conference. Lastly,

IT IS ORDERED that the monthly status conference, which was scheduled for September 29, 2005, at 9:30 a.m., shall now begin on September 29, 2005, at 2:30 p.m. This status conference shall be held in Houston, Texas. Liaison Counsel shall advise other counsel of the change in time and location. The Court will also post this change on the Vioxx webpage.