

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**IN RE:**

**MIRENA IUD PRODUCTS LIABILITY  
LITIGATION**

**ORDER NO. 29  
(Pretrial Scheduling Order)**

13-MD-2434 (CS)  
13-MC-2434 (CS)

*This Document Relates To All Actions*  
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Seibel, J.

1. This Order shall apply to the first case selected for trial in 13-MD-2434.
2. The Court's individual practices regarding Joint Pretrial Orders shall apply unless expressly altered by this Order. The Joint Pretrial Order shall be filed on February 25, 2016.
3. With respect to deposition designations:
  - a. On February 25, 2016, the parties shall exchange deposition designations to be offered in the party's case in chief. The designations shall be made in a word document titled with the case caption, the name of the witness, and the date of the deposition. The chart shall consist of four columns for the beginning page:line of the designation, the end page:line of the designation, objections, and response ("page:line chart"). Parties may not designate objections or colloquy between counsel.
  - b. On March 17, 2016, the parties shall exchange counter designations to the other party's designations on a new page:line chart. Objections to the other party's designations shall also be noted on the initial designation chart.
  - c. On March 24, 2106, the parties shall exchange counter-counter designations on a new page:line chart. Objections to counter designations and responses to objections to the original designations shall also be exchanged.

- d. On March 30, 2016, the parties shall exchange objections to counter-counter designations on a new page:line chart. The parties shall also exchange responses to objections to counter designations.
  - e. On April 4, 2016, the parties shall submit to the Court page:line charts for each deposition reflecting both parties' designations, counter-designations, counter-counter designations, objections, and responses. The parties shall also jointly submit complete transcripts of the depositions reflecting each party's respective designations, objections, and responses.
4. With respect to exhibit lists:
- a. On February 25, 2016, the parties shall exchange exhibits lists. Plaintiffs' exhibits shall be identified with a "P" and then consecutive numbering. Defendants' exhibits shall be identified with a "D" and then consecutive numbering. Exhibits lists shall be in Microsoft Excel format and shall include the following columns in the following order: Exhibit number, beginning bates number, end bates number, date, and description of the exhibit. The Excel spreadsheet shall also include a column where the opposing party can enter objections to exhibits. Parties shall also exchange at this time on a CD or other media true and accurate electronic copies (in color, where applicable) of all exhibits identified on their list in PDF format with the file name being the exhibit number. An identical copy of this CD shall be submitted to the Court.
  - b. On March 17, 2016, the parties shall exchange objections to exhibits. The objections should be noted in a column on the Excel spreadsheet. The party shall place one star in the objection column indicating exhibits to which there is no

authenticity objection and two stars indicating exhibits to which there is no objection on any ground.

- c. On March 24, 2016, both parties' exhibit lists (noting objections) shall be filed with the Court. An identical CD to that exchanged by the parties pursuant to paragraph 4(c) shall also be filed with the Court.
5. With respect to *motions in limine*:
  - a. On March 15, 2016, the parties shall file motions *in limine*.
  - b. Oppositions to motions *in limine* are due by March 29, 2016.
6. The parties may file a joint jury questionnaire on April 1, 2016. The Court has not decided to use a jury questionnaire.
7. The Court's individual practices regarding filing proposed *voir dire* questions, proposed jury instructions, and verdict form shall apply. These documents shall be filed on March 18, 2016. Before April 1, 2016, any party may file objections to the other party's proposed *voir dire* questions, jury instructions or verdict form.
8. The Joint Pretrial Order should include any special considerations governing the conduct of trial, including trial disclosures of exhibits, witnesses, and demonstratives as well as presentation of video testimony.

**SO ORDERED.**

Dated: January 20, 2016  
White Plains, NY

  
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CATHY SEIBEL, U.S.D.J.