

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

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LORETTA G. MYRTE
CLERK

In re: VIOXX

* MDL Docket No. 1657

PRODUCTS LIABILITY LITIGATION

* SECTION L

This document relates to:

* JUDGE FALLON

ALL CASES

* MAGISTRATE JUDGE KNOWLES

PRETRIAL ORDER NO. 30

Having reviewed the Resolution Program agreement entered into by the PSC and Merck on November 9, 2007, the Court finds that with some exceptions, further activity in this MDL proceeding should be stayed temporarily in order to give each eligible plaintiff, with the advice of counsel, sufficient time to determine whether it is in his or her best interest to participate in the Resolution Program, and to give counsel sufficient time to comprehend the Resolution Program and advise their clients accordingly.

Accordingly, the Court hereby **ORDERS** as follows.

- All activities in this MDL proceeding (including all activities in each case in which a plaintiff is eligible to participate in the Resolution Program) are hereby stayed pending further order of this Court, except as follows:
 - o The stay shall not apply to cases currently pending in this proceeding that are not eligible for participation in the Resolution Program, but only to the extent that plaintiffs are required to engage in certain discovery and other pretrial activities

___ Fee _____
 ___ Process _____
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by Pretrial Order 28, entered by this Court on November 9, 2007.

- The stay shall not apply to any cases in this proceeding (or that may be later transferred into this proceeding) filed on or after November 9, 2007, but only to the extent that plaintiffs are required to engage in certain discovery and other pretrial activities by Pretrial Order 29, entered by this Court on November 9, 2007.
- This Order shall not operate to stay the various *de bene esse* depositions that the parties previously scheduled, including the discovery depositions related thereto. Such depositions will be important to the outcome of this litigation, regardless of whether individual plaintiffs choose to participate in the Resolution Program.
- At the appropriate time, the Court intends to issue a further order lifting this stay with respect to the eligible plaintiffs who decide not to participate in the Resolution Program. Further, the Court will consider motions to lift the stay with respect to specific activities in this litigation upon good cause shown.

IT IS SO ORDERED.

New Orleans, Louisiana, this 9th day of November, 2007.

A handwritten signature in black ink, appearing to read "Eldon E. Fallon". The signature is written in a cursive, flowing style with some loops and flourishes.

ELDON E. FALLON

UNITED STATES DISTRICT JUDGE