IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: LIPITOR (ATORVASTATIN CALCIUM) MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	**MDL No. 2:14-mn-02502-RMG** **CASE MANAGEMENT ORDER NO. 6A** **This Order relates to All Actions.**

PRODUCTION OF NON-RESPONSIVE CUSTODIAL FILE ATTACHMENTS

1. In addition to the categories of custodial file attachments identified in paragraph 12 of Case Management Order No. 6 ("CMO 6"), Pfizer may withhold the following categories of non-responsive attachment documents pursuant to the procedures set forth in paragraphs 2 and 3 below:

a. Non-responsive adverse event reporting documents with HIPAA burden (Lipitor adverse event reporting documents that contain personal information requiring HIPAA redaction and that do not relate to the adverse events at issue in this litigation)[1];

b. Non-responsive patient documents with HIPAA burden (patient-specific documents that contain personal information requiring HIPAA redaction and that do not relate to the use of Lipitor or any other statin);

[1] The parties agree for purposes of this Order that the adverse events at issue in this litigation generally relate to diabetes (including new onset), hyperglycemia, elevated blood glucose levels, glucose intolerance/impairment, elevated HbA1C, or insulin resistance.

c. Non-responsive clinical trial documents with HIPAA burden (clinical trial documents that contain personal information requiring HIPAA redaction and that do not relate to the adverse event or efficacy claims at issue in this litigation);

d. Non-responsive personal documents (documents containing personal information, such as an employee communication about a family matter, including such information requiring HIPAA redaction);

e. Non-responsive other product documents (documents that relate to another product and do not relate to Lipitor or any statin);

f. Non-responsive other condition/adverse event documents (documents that concern medical conditions or adverse events not at issue in this litigation); and

g. Non-responsive manufacturing documents (documents related to the manufacturing of Lipitor and not to any medical condition or claim at issue in this litigation).

2. For each attachment document that falls into any of the categories set forth in paragraph 12 of CMO 6 or paragraph 1 above and that is contained within a custodial document family that contains one or more responsive documents, Pfizer shall produce a Bates-stamped slip sheet stating that the document has been withheld as non-responsive, along with a metadata field identifying the applicable non-responsive category. In addition, Pfizer shall continue to produce the parent document for each such family, regardless of the responsiveness of the parent.

3. The PSC may request that Pfizer provide additional information about or produce any document withheld pursuant to paragraph 2 above by providing such request in writing and identifying any such document by Bates number. Any such request shall be made in good faith. Pfizer shall have seven days to respond to such request unless the parties agree to a longer response period. In the event of any dispute as to the responsiveness of any such document,

Pfizer shall bear the burden of seeking the Court's intervention and demonstrating non-responsiveness.

AND IT IS SO ORDERED.

Richard Mark Gergel
United States District Court Judge

May 28, 2014
Charleston, South Carolina