

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**IN RE: ZOLOFT (SERTRALINE  
HYDROCHLORIDE) PRODUCTS LIABILITY  
LITIGATION**

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**MDL No. 2342**

**2:12-md-02342-CMR**

**THIS DOCUMENT RELATES TO ALL  
ACTIONS:**

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**HON. CYNTHIA M. RUFÉ**

**PLAINTIFFS' NOTICE OF TAKING VIDEOTAPED DEPOSITION OF PFIZER,  
INC.'s AND GREENSTONE LLC's PERSON(S) MOST KNOWLEDGEABLE  
PURSUANT TO F.R.C.P. 30(b)(6) RE MARKETING AND REQUEST FOR  
PRODUCTION OF DOCUMENTS**

TO DEFENDANT PFIZER, INC. AND DEFENDANT GREENSTONE LLC AND  
THEIR ATTORNEYS OF RECORD HEREIN:

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, Plaintiffs, by and through their counsel of record, will take the deposition of Defendants Pfizer, Inc. (hereinafter "Pfizer") and Greenstone LLC (hereinafter "Greenstone"), pursuant to Fed. R. Civ. P. 30(b)(6) in the above action, to begin on July 23, 2013, at 10:00 a.m. Eastern Standard Time, at Quinn Emanuel Urquhart & Sullivan, 51 Madison Avenue, 22nd Floor, New York, NY 10010. The deposition, if not completed on the noticed date, shall be continued, if necessary, from day to day thereafter, excluding weekends and holidays, until completed, unless counsel for the noticing party wishes the deposition to be completed at a later date, in which case a mutually agreeable date shall be selected between counsel for the

parties. The deposition shall be taken stenographically, conducted under the supervision of an officer who is authorized to administer an oath, and be video recorded.

Pursuant to Fed. R. Civ. P. 30(b)(6), Defendants Pfizer and Greenstone must designate and produce at the deposition one or more “officers, directors, or managing agents, or other persons who consent to testify” and who possess sufficient knowledge to testify as to the matters listed below for examination.

PLEASE TAKE FURTHER NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(3), Plaintiffs intend to utilize a stenographic method of recording which permits the “real time” instant visual display of testimony.

PLEASE ALSO TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(3)(A), the deposition testimony will be recorded by stenographic and audiovisual means. The deposition will be videotaped and Plaintiffs reserve the right to use at the trial of this action the video recording of the deposition.

PLEASE ALSO TAKE NOTICE that, pursuant to Fed. R. Civ. P. 34, Plaintiffs also request the documents set forth on Exhibit “B” within the next thirty (30) days or at the deposition, whichever is sooner.

Dated: July 11, 2013

/s/ Mark P. Robinson, Jr.  
Mark P. Robinson, Jr.  
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***PLAINTIFFS CO-LEAD COUNSEL***

## DEFINITIONS AND INSTRUCTIONS

The following definitions apply to this Notice of Deposition and are deemed to be incorporated into each subject listed below:

1. "Pfizer," "Pfizer, Inc.," "You," "Your," or Defendant refers to Defendants Pfizer, Inc., and its subsidiaries, Pfizer LLC, Pfizer Pharmaceutical LLC and Pfizer International LLC (including Roerig) and Defendant Greenstone LLC, and all Defendants' partners, directors, officers, employees, servants, agents, attorneys, joint ventures, or other representatives, including all corporations and entities affiliated with Pfizer. "Roerig" refers to defendant Roerig & Co. The terms shall also include all predecessor business entities, as well as any predecessor's partners, directors, officers, employees, servants, agents, joint ventures, or others acting on their behalf. The terms shall also include all foreign subsidiaries or foreign parent companies, as well as any foreign subsidiaries' or parent companies' partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf.

2. "Zoloft" means the drug Zoloft, Sertraline Hydrochloride, and any predecessor or non-final derivation of the drug that later became Zoloft. Also included in the definition of Zoloft are any chemical equivalents marketed in foreign countries.

3. "Documents" as used herein is coextensive with the meaning of the term "documents" and "tangible things" and shall have the broadest possible meaning and interpretations ascribed to the terms "documents" and "tangible things." Consistent with the above definition, the terms shall include, without limitation, any written, printed, typed, photostatic, photographed, recorded, computer-generated, computer stored, or otherwise maintained or reproduced communication or representation, any data compilation in any form, whether comprised of letters, words, numbers, pictures, sounds, bytes, e-mails, electronic

signals or impulses, electronic data, active files, deleted files, file fragments, or any combination thereof including, without limitation, all memoranda, notes, records, letters, envelopes, telegrams, messages, studies, analyses, contracts, agreements, projections, estimates, working papers, accounts, analytical records, reports and/or summaries of investigations, opinions or reports of consultants, opinions or reports of experts, opinions or reports of accountants, other reports, trade letters, press releases, comparisons, books, diaries, articles, magazines, newspapers, booklets, brochures, pamphlets, circulars, bulletins, notices, forecasts, drawings, diagrams, instructions, minutes of meetings or communications of any type, including inter- and intra-office communications, questionnaires, surveys, charts, graphs, all other compiled data, documents maintained on, stored in or generated on any electronic transfer or storage system, any preliminary versions, drafts, or revisions of any kind of the foregoing now in the possession, custody or control of you, or the former or present directors, officers, counsel, agents, employees, partners, consultants, principles, and/or persons acting on your behalf.

4. "Electronically stored information" (hereinafter "ESI") is used herein as it is defined under Federal Rules of Civil Procedure, Rules 26 and 34.

5. "Relating to," "relate to," "referring to," "refer to," "reflecting," "reflect," "concerning," or "concern" shall mean evidencing, regarding, concerning, discussing, embodying, describing, summarizing, containing, constituting, showing, mentioning, reflecting, pertaining to, dealing with, relating to, referring to in any way or manner, or in any way logically or factually, connecting with the matter described in that paragraph, including documents attached to or used in the preparations of or concerning the preparation of the documents.

6. “You” and “your” mean Pfizer (including Roerig) and Greenstone and any of their subsidiaries, affiliates, officers, sales representatives, accountants, agents, attorneys, employees, representatives, or others acting on its behalf.

7. “Or” and “and” will be used interchangeably.

8. Unless otherwise indicated, the “relevant period” for the information sought is from 1975 or the date Pfizer and/or Greenstone first started developing Zoloft/sertraline hydrochloride (whichever is earlier) until the present. “Zoloft” shall refer to Zoloft and Sertraline Hydrochloride.

9. “Foreign pharmaceutical regulatory bodies” means any organization including, but are not limited to, the pharmaceutical regulatory bodies and agencies in countries other than the United States.

10. Each deponent is instructed to produce at the deposition: copies of any and all documents reviewed or read upon in preparation for the deposition; copies of any and all documents or tangible things related to or referring to the subjects listed in this notice contained in the deponent’s files, papers, or other materials; and a copy of his/her resume or C.V.

11. “Native Electronic Format” shall mean and refer to the state of an electronic file as it originally existed or as it was originally created on any and all computers, electronic media devices, networks or any other locations where data may be stored (including back-up servers, deleted folders, hidden folders, etc.), with all of the file’s original metadata intact, meaning that the metadata fields have not been altered, deleted, updated or modified in any way.

**EXHIBIT A**

**DEPOSITION SUBJECT MATTER**

Pursuant to Federal Rules of Civil Procedure, Rule 30(b)(6), the deponent must have knowledge and shall be able to testify concerning the following subject matter. For all issues, the Relevant Time is from the initial research and development of sertraline through trial:

1. Identity, staffing, title and function of personnel, corporate officers and managers, departments and divisions within Pfizer responsible for Zoloft, its promotion, and its commercial availability upon patent expiry.

2. The process utilized to develop, determine, review and approve marketing strategies, tactics, Plans of Action (POAs), core messages, competitive issues, barriers or beliefs and any other marketing functions related in any way to the promotion of Zoloft.

3. The identity and function of personnel, departments and divisions responsible for the promotion, distribution and commercial availability of sertraline under Greenstone.

4. The identity and functions of all third party consultants and entities that were involved in any way regarding the promotion of Zoloft.

5. The manner in which marketing plans, advertising and promotional materials regarding Zoloft, its treatment indications, and/or women's health issues (ie., PMS, PMDD, Pregnancy, Lactation) are developed, organized, reviewed and approved, and where exemplars of these materials are located. As used in this Notice, advertising, promotional, sales and marketing materials include but are not limited to all print and

broadcast advertisements, sales aids, visuals, sales scripts, question and answer guides, sales implementation and resource guides, speaker materials and educational items.

6. The policy, process and identity of personnel responsible for submission, review and approval of the financial expenditures and budgets regarding or related to the marketing and promotion of Zoloft.

7. The identity of persons responsible and the process for training sales representatives regarding the implementation of the marketing and promotion strategies related to Zoloft.

8. The identity and nature of all warning letters, notice of violation letters and untitled regulatory letters from the FDA's Division of Drug Marketing, Advertising and Communications concerning Zoloft, Pfizer's responses thereto and actions thereon.

9. The identity of all of Pfizer's speaker bureau members, consultants, advisory boards, advisory board members, thought leaders and key opinion leaders, including but not limited to doctors, psychiatrists, pharmacists and other healthcare providers who receive some form of payment or remuneration from Pfizer, or an organization funded in whole or in part by Pfizer, for the purpose of consulting, preparing articles for publication, and/or doing presentations concerning Zoloft, the treatment of mental health conditions, or the treatment of women's health issues (ie., PMS, PMDD, Pregnancy, Lactation).

10. All policies and procedures for the payment, remuneration or benefit to Pfizer's speaker bureau members, consultants, advisory board members, thought leaders and key opinion leaders.

11. The identity and function of personnel, policies, procedures and locations of documents and databases regarding Pfizer's publications strategy related to Zoloft, mental health conditions, or women's health issues (ie., PMS, PMDD, Pregnancy, Lactation).



**EXHIBIT B**

**DOCUMENT REQUESTS TO DEFENDANTS PFIZER AND GREENSTONE**

Please produce:

1. Current resume and curriculum vitae.
2. All documents reflecting the structure, organization and titles of the marketing personnel, departments, divisions or teams related to the promotion of Zoloft.
3. All documents reflecting the policies, procedures, handbooks or other company protocols or standard operating procedures related to the marketing and promotion of Pfizer products that would include Zoloft or sertraline.
4. All documents reviewed by the deponent in preparing for this deposition.
5. All documents prepared by deponent in preparation for this deposition.
6. Deponent's complete custodial file (including all e-mail) regarding or related to Zoloft or sertraline.

**CERTIFICATE OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 19 Corporate Plaza Drive, Newport Beach, CA 92660.

On July 11, 2013, I served the foregoing document described as:  
PLAINTIFFS' NOTICE OF TAKING VIDEOTAPED DEPOSITION OF PFIZER, INC.'s AND  
GREENSTONE LLC's PERSON(S) MOST KNOWLEDGEABLE PURSUANT TO F.R.C.P. 30(b)(6)  
RE MARKETING AND REQUEST FOR PRODUCTION OF DOCUMENTS

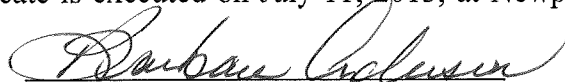
on the following person(s) in the manner indicated:

**SEE ATTACHED SERVICE LIST**

(BY ELECTRONIC TRANSMISSION) I served electronically from the electronic notification address of [banderson@rcrlaw.net](mailto:banderson@rcrlaw.net) the document described above and a copy of this declaration to the person and at the electronic notification address set forth herein. The electronic transmission was reported as complete and without error.

(FEDERAL) I declare that I am employed in the offices of a member of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Certificate is executed on July 11, 2013, at Newport Beach, California.

  
Barbara Anderson

**SERVICE LIST**

<p>Mark S. Cheffo, Esq. Quinn Emanuel Urquhart &amp; Sullivan 51 Madison Avenue, 22<sup>nd</sup> Floor New York, NY 10010 Telephone: (212) 849-7000 Markcheffo@quinnemanuel.com</p> <p>Attorney for Defendants Pfizer Inc. and Greenstone LLC</p> <p>Defendants' Liaison Counsel Defendants' Lead Counsel</p>	<p>Dianne M. Nast, Esq. NastLaw LLC 1101 Market Street Aramark Tower Suite 2801 Philadelphia, PA 19107 Telephone: (215) 923-9300 Fax: (215) 923-9303 dnast@nastlaw.com</p> <p>Plaintiffs' Co-Lead Counsel</p>
<p>Stephen A. Corr, Esq. Stark &amp; Stark 777 Township Line Road, Suite 120 Yardley, PA 19067-5559 T: 267.759.9684 F: 267.907.9659 E-mail: <a href="mailto:SCorr@Stark-Stark.com">SCorr@Stark-Stark.com</a></p> <p>Plaintiffs' Liaison Counsel</p>	<p>Mark P. Robinson, Jr. Robinson Calcagnie Robinson Shapiro Davis Inc 19 Corporate Plaza Drive Newport Beach, CA 92660 Tele: (949) 720-1288 Fax: (949) 720-1292 Beachlawyer51@hotmail.com</p> <p>Plaintiffs' Co-Lead Counsel</p>