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November 14, 2013

**VIA FACSIMILE: (267) 299-5077**

The Honorable Cynthia M. Rufe  
United States District Court  
Eastern District of Pennsylvania  
601 Market Street  
Philadelphia, PA 19106-1797

RE: *In re: Zoloft (Sertraline Hydrochloride) Products Liability Litigation*, MDL No. 2342  
Multi-District Coordinator's Report No. 8.

Dear Judge Rufe:

This is the Multi-District Coordinator's Report No. 8 concerning pending Zoloft MDL cases and pending state court cases filed in California, Illinois, Missouri, New York, Pennsylvania and West Virginia.

**Eastern District of Pennsylvania**

There are approximately four-hundred-ninety-two (492) Zoloft cases pending in this MDL Court.

**California**

All but one of the Zoloft cases that were filed in California state court have been dismissed or transferred to this Court after removal. The remaining case, *Allen*, was removed to the Northern District of California and is pending before Judge Sandra B. Armstrong. Plaintiffs have moved to remand and opposed transfer to the MDL. Pfizer has moved to stay pending a decision by the JPML on transfer to this Court.

**Illinois**

There is one case pending in St. Clair County, Illinois, *Wilson et al. v. Pfizer*, involving eight (8) Plaintiff families. The case is pending before the Honorable Andrew Gleeson, who heard argument on Pfizer's motions to sever and to dismiss on forum non conveniens grounds in July 2012. Plaintiffs' counsel has agreed to voluntarily dismiss the *Wilson* action without prejudice, and the parties have advised Judge Gleeson that a notice of dismissal is expected to be filed shortly.

Honorable Andrew Gleeson  
Twentieth Judicial Circuit Court  
St. Clair County Building  
10 Public Square  
Belleville, IL 62220  
Telephone: Susan Brem (Clerk) – (618) 825-2338

A second case originally filed in St. Clair County (*Ratliff v. Pfizer*) involving one (1) Plaintiff family with twins, was transferred to this Court on August 15, 2013.

Additionally, on July 23, 2012, the Honorable G. Patrick Murphy of the Southern District of Illinois granted Plaintiffs' motion to remand in *Reeves et al. v. Pfizer*, which involved thirty-eight (38) Plaintiff families and was originally filed in St. Clair County, Illinois. Pfizer appealed the remand order to the Seventh Circuit Court of Appeals. The appeal remains pending.

### **Missouri**

*Foster, et al. v. Pfizer* involves twenty-three (23) Plaintiff families and is pending before Judge Philip Heagney in the Circuit Court of St. Louis City, Missouri. Written discovery has been served by the Plaintiffs and responses have been served by Pfizer. Plaintiffs have filed a Motion for Assignment of Trial Judge, though no trial date has been set. The parties are working to submit a proposed trial schedule to the court.

Honorable Philip Heagney  
Twenty-Second Judicial Circuit of the State of Missouri  
10 N. Tucker Blvd.  
St. Louis, MO 63101  
Telephone: (314) 622-4491

There are also two cases pending in Cole County Circuit Court in the Celexa/Lexapro coordinated litigation (*Jenkins* and *Griffith*) in which Pfizer has also been named as a defendant. The litigation is pending before Judge Patricia Joyce.

Honorable Patricia S. Joyce, Presiding Judge  
Nineteenth Judicial Circuit of the State of Missouri  
301 East High Street  
Jefferson City, MO 65101  
Telephone: (573) 634-9178

### **New York**

There is one case pending in Oneida County before Justice Bernadette Clark (the *Hernandez* case), and written discovery has been served in that case.

There are four cases pending in New York County before Justice Carol E. Huff (*Petroci, Jones, Ruckdeschel, and Wolcott*). Written discovery has been served in *Petroci*. On October 8, 2013, Justice Huff granted Pfizer's motion to dismiss the complaint in a fifth case, *Weese*, on the ground that the plaintiff used a generic version of sertraline made and sold by another company. Plaintiffs have appealed that order. There are no other pending motions in any of the remaining New York County cases.

Finally, there is one case pending in Richmond County (*Guzzo*) that has been assigned to Justice Philip G. Minardo. There are no pending motions.

Honorable Justice Bernadette Clark  
Supreme Court, Oneida County  
200 Elizabeth Street  
Utica, NY 13501  
Telephone: (315) 266-4310

Honorable Carol E. Huff  
Supreme Court, Civil Branch, New York County  
60 Centre Street  
New York, NY 10007.  
Telephone: Guy Owen (Clerk) – (646) 386-3281

Honorable Philip G. Minardo  
Supreme Court, Richmond County  
18 Richmond Terrace  
Staten Island, NY 10301  
Telephone: Robert Soos, Esq. (Law Clerk) – (718) 675-8602

### **Pennsylvania**

There is one case pending in the Philadelphia County Court of Common Pleas, *Robinson v. Wolters Kluwer, Inc. et al.*, pending before the Honorable Lisa M. Rau. Written discovery has been served by Plaintiff and responses served by Pfizer. There is a pending Joint Motion for Protective Order. The previous trial date setting of April 7, 2014 has been reset to February 2, 2015.

The Honorable Cynthia M. Rufe  
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Honorable Lisa M. Rau  
Court of Common Pleas of Philadelphia County  
City Hall, Room 593  
Philadelphia, PA 19107  
Telephone: (215) 686-3768

**West Virginia**

There is one case pending in the Circuit Court of Wayne County, West Virginia, before the Honorable James H. Young, Jr., involving a single Plaintiff family. The complaint was filed on behalf of nineteen (19) Plaintiff families. Each Plaintiff family was docketed as a separate civil action. Following an order of remand, all nineteen (19) cases remain pending before Judge Young (collectively referred to as the *Cook* case).

On October 28, 2013, six (6) additional cases were filed in Wayne County Circuit Court. All of these newly-filed cases have been assigned to Judge Young.

Honorable James H. Young, Jr.  
Twenty-Fourth Judicial Circuit, Wayne County  
P.O. Box 38  
Wayne, WV 25570  
Telephone: (304) 272-6332

Respectfully,



Bryan F. Aylstock

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