

BRYAN F. AYLSTOCK (FL, AL, MS)\*  
JUSTIN G. WITKIN (FL, MS)  
DOUGLASS A. KREIS (FL)  
NEIL D. OVERHOLTZ (FL)  
R. JASON RICHARDS (FL, CO)  
BOBBY J. "BRAD" BRADFORD (FL, AL)  
STEPHEN H. ECHSNER (FL)  
D. RENÉE BAGGETT (FL)  
DANIEL J. THORNBURGH (FL, MN)



# Aylstock, Witkin, Kreis & Overholtz, PLLC

www.AWKOLAW.com

17 EAST MAIN STREET, SUITE 200 - PENSACOLA, FLORIDA 32502  
PHONE: (850) 202-1010 • FAX: (850) 916-7449

NATHAN C. BESS (FL)  
E. SAMUEL "SAM" GEISLER (FL, IL)  
JAMES D. BARGER (PA, NJ)  
ANGEL N. STULL (FL, NY)  
CHELSIE R. WARNER (MT, NV)  
S. MARY LIU (CA, FL)  
SARAH E. GRUWELL (WA)  
P. ANN GAYLE (TX, LA, IL)  
BEN H. ANDERSON (OH, CA)†  
DONNA TAYLOR-KOLIS (OH)†  
CHRISTOPHER J. ZIMMERMAN (OH)†

\*States in which attorney is licensed to practice law  
†Of counsel

February 18, 2015

**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. 11.

Dear Judge Rufe:

This is the Multi-District Coordinator's Report No. 11 concerning pending Zoloft MDL cases and pending state court cases filed in Alabama, California, Illinois, Missouri, New York, Pennsylvania and West Virginia.

**Eastern District of Pennsylvania**

There are approximately five-hundred-fifty-three (553) Zoloft cases (with six-hundred-sixteen (616) minor plaintiffs) pending in this MDL Court.

**Alabama**

There is one (1) case pending in the Circuit Court of Jefferson County, Alabama (*Corley v. Hudson, et al.*). Pfizer has served discovery and plaintiffs have responded. A scheduling order and trial setting was entered by Judge Elisabeth A. French on January 21, 2014. A trial date is scheduled for August 24, 2015. Plaintiffs' counsel has sought appointment of a guardian ad litem in light of the mother plaintiff's decision to discharge them and dismiss the case without prejudice. Pfizer has responded that the case should be dismissed without prejudice. On February 18, the court appointed a guardian ad litem and set a hearing for March 19, 2015.

Honorable Elisabeth A. French  
Jefferson County Courthouse, Room 610  
716 N. Richard Arrington Blvd.  
Birmingham, AL 32503  
Telephone: (Pat Case - Judicial Assistant) (205) 325-5020

P.O. Box 12630  
PENSACOLA, FLORIDA 32591  
PHONE: (850) 202-1010

11440 NORTH KENDALL DRIVE, PENTHOUSE 400  
MIAMI, FLORIDA 33176  
PHONE: (305) 220-2956 • FAX: (305) 227-2956

**California**

On February 11, 2014, the Judicial Council Coordination Proceedings (JCCP) in California granted a Petition for Coordination of state court cases alleging birth defects and the use of Zolofit. The JCCP designated the Orange County Superior Court as the site of the coordinated proceedings (JCCP No. 4771).

The Honorable Kim G. Dunning, Judge of the Superior Court of California, is the coordination trial judge. There are approximately 15 cases (with 33 minor plaintiffs) pending before Judge Dunning. Plaintiff Fact Sheets and Defendant Fact Sheets have been served. The court recently entered an ESI order governing the litigation.

Honorable Kim G. Dunning  
Superior Court of California  
County of Orange County  
751 West Santa Ana Boulevard  
Floor 1, Department CX104  
Santa Ana, CA 92701  
Telephone: (657) 622-5304

Another case is pending in California state court, outside of the JCCP: *Randall v. McKesson, et al.*, Case No. CGC-12-518613 (San Francisco, County), before the Honorable John K. Stewart. No trial date is scheduled and a case management conference is set for April 15, 2015.

Hon. John K. Stewart  
Superior Court of California  
County of San Francisco  
Civic Center Courthouse  
400 McAllister Street  
San Francisco, CA 94102  
Telephone: Ella Yip (Clerk): (415) 551-3702

*White v. McKesson Corporation, et al.*, involving one Plaintiff family, is currently pending before the Honorable John A. Kronstadt in the Central District of California. The parties have filed motions to dismiss, to remand, and to stay, which remain pending. Plaintiffs have opposed transfer of the case to the Zolofit MDL.

Honorable John A. Kronstadt  
United States District Court for the Central District of California  
Edward R. Roybal Federal Building and United States Courthouse  
255 East Temple Street  
Los Angeles, CA 90012  
Telephone: Andrea Keifer (Clerk): (213) 894-2156

**Illinois**

*J.H. et al. v. Pfizer Inc., et al.*, is pending in the Circuit Court of Cook County, Illinois, following remand. In December 2014, the court dismissed the claims of the 5 out-of-state plaintiff families on *forum non conveniens* grounds. The claims of 2 plaintiff families who have some Illinois connection remain pending. The case is assigned to the Honorable John P. Callahan, Jr. The next case management conference is scheduled for March 30, 2015. Discovery is ongoing.

*Schuhardt et al. v. Pfizer, Inc.*, involving thirty-seven (37) Plaintiff families, is pending in St. Clair County, Illinois. Pfizer has filed motions to sever and to dismiss on *forum non conveniens* grounds. The case is assigned to the Honorable Vincent Lopinot.

Honorable John P. Callahan, Jr.  
Daley Center  
50 W. Washington St., Rm. 2203  
Chicago, IL 60602  
Telephone: (Ms. Campbell - Courtroom Clerk) (312) 603-6062

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

**Missouri**

*Foster, et al. v. Pfizer* involves multiple Plaintiff families and is pending before Judge Margaret M. Neill in the Circuit Court of St. Louis City, Missouri. The trial date has been rescheduled for April 7, 2015. The parties are preparing for trial and have filed competing motions to compel discovery on various issues. Pfizer anticipates filing dispositive motions on February 23, the deadline for doing so.

Honorable Margaret Neill  
22<sup>nd</sup> Judicial Circuit  
10 N. Tucker Blvd.  
St. Louis, MO 63101  
Telephone: (314) 622-4682

The *Morgan, et al. v. Pfizer* case, involving twenty-five (25) Plaintiff families in a single lawsuit, was remanded by this Court on June 2, 2014 to the Circuit Court of St. Louis City, Missouri. The case is before Judge Bryan Hettenbach, the presiding judge, and has not been assigned to a motion judge. There are no pending motions. A June 2015 trial date has been set.

Honorable Bryan Hettenbach

22<sup>nd</sup> Judicial Circuit  
10 N. Tucker Blvd.  
St. Louis, MO 63101  
Telephone: (314) 622-4381

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

Honorable Patricia S. Joyce, Presiding Judge  
19<sup>th</sup> Judicial Circuit  
301 East High Street  
Jefferson City, MO 65101  
Telephone: (573) 634-9178

Another case, with forty-one (41) Plaintiff families, was recently filed in St. Louis, Missouri and removed by Pfizer to Missouri federal court. The case, *Jones v. Pfizer Inc., et al.*, Case No. 4:15-cv-00153 (E.D. Missouri), is pending before the Honorable Rodney W. Sippel. Pending before the federal court are Pfizer's motion to dismiss for lack of personal jurisdiction and Plaintiffs' motion to remand. Plaintiffs have opposed transfer of the case to the Zolofit MDL.

Honorable Rodney W. Sippel  
United States District Court for the Eastern District of Missouri  
Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street  
St. Louis, MO 63102  
Telephone: (314) 244-7430

### New York

There are six cases pending in New York County before Justice Carol E. Huff (*Cassidy, Petroci, Jones, Ruckdeschel, Wolcott, and Yu*). Written discovery has been served in *Petroci*. There are no pending motions in any of the remaining New York County cases.

The *Weese* case, previously pending before Judge Huff, was dismissed on October 8, 2013 and is currently on appeal. Plaintiffs' opening appellate brief was filed on August 5, 2014.

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

P.O. Box 12630  
PENSACOLA, FLORIDA 32591  
PHONE: (850) 202-1010

11440 NORTH KENDALL DRIVE, PENTHOUSE 400  
MIAMI, FLORIDA 33176  
PHONE: (305) 220-2956 • FAX: (305) 227-2956

**Pennsylvania**

There are six (6) cases pending in the Philadelphia County Court of Common Pleas. In the *Robinson* case, Plaintiffs have served written discovery and Pfizer has served responses. Expert reports on general causation have also been submitted and depositions of the parties' experts have been taken. On February 12, 2015, the court began a Frye hearing and those hearings are ongoing. The parties are actively preparing for trial to begin on May 26, 2015 in the *Robinson* case. The case is pending before the Honorable Mark I. Bernstein.

The other 5 pending cases are *Bailey*, *Gordon*, *Kiah*, *Balvanz*, and *Porter*. They are pending before the Honorable Lisa M. Rau. A status conference was also held in these cases on August 6, 2014. There are no pending motions.

Honorable Mark I. Bernstein  
Court of Common Pleas of Philadelphia County  
City Hall, Room 246  
Philadelphia, PA 19107  
Telephone: (215) 686-7335  
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 are approximately six (6) cases pending before the Mass Litigation Panel in the Circuit Court of Kanawha County, West Virginia. This is a reduction from the thirty-six (36) cases that were previously pending since the last multi-district coordinator's report. The Honorable James P. Mazzone serves as Lead Presiding Judge for the Mass Litigation Panel.

On October 21, 2014, the panel granted in part and denied in part Pfizer's motion to dismiss 21 Plaintiff family's cases on the ground of *forum non conveniens*, resulting in the dismissal without prejudice of 20 of the cases. On October 29, 2014, the panel granted a similar motion by Pfizer resulting in the dismissal without prejudice of 9 additional cases on *forum non conveniens* grounds. In a separate order, the panel denied as premature Pfizer's Motion to Dismiss Claims Under Michigan and Texas Law. Plaintiffs have filed a petition for writ of prohibition with the Supreme Court of Appeals of West Virginia, seeking to prohibit enforcement of the October 21 order. Oral argument is set for March 11, 2015. The Supreme Court also issued a Rule to Show Cause, which stays the underlying litigation. The first trial has been set for August 3, 2015.

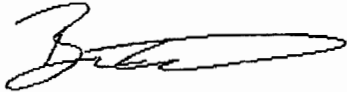
In addition to the 29 cases dismissed on *forum non* grounds, another case was dismissed by agreement of the parties.

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PENSACOLA, FLORIDA 32591  
PHONE: (850) 202-1010

11440 NORTH KENDALL DRIVE, PENTHOUSE 400  
MIAMI, FLORIDA 33176  
PHONE: (305) 220-2956 • FAX: (305) 227-2956

Honorable James P. Mazzone  
Ohio County Courthouse  
1500 Chapline Street  
Room 506  
Wheeling, WV 26003  
Telephone: (304) 234-3620

Respectfully,



Bryan F. Aylstock

cc: Katherine Armstrong (via e-mail)  
Mara Cusker Gonzalez (via e-mail)  
Mark Cheffo (via e-mail)  
Catherine Stevens (via e-mail)  
R. Jason Richards (via e-mail)

BRYAN F. AYLSTOCK (FL, AL, MS)\*  
JUSTIN G. WITKIN (FL, MS)  
DOUGLASS A. KREIS (FL)  
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\*States in which attorney is licensed to practice law  
†Of counsel

## FAX COVER SHEET

TO: The Honorable Cynthia M. Rufe  
COMPANY: USDC of the Eastern District of Pennsylvania  
FAX NO: (267) 299-5077  
FROM: Bryan F. Aylstock  
DATE: 2/18/2015  
RE: *In re: Zoloft (Sertraline Hydrochloride) Products Liability Litigation*, MDL No. 2342  
Multi-District Coordinator's Report No. 11.

No. of Pages: 7 (including cover page)

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P.O. BOX 12630  
PENSACOLA, FLORIDA 32591  
PHONE: (850) 202-1010

11440 NORTH KENDALL DRIVE, PENTHOUSE 400  
MIAMI, FLORIDA 33176  
PHONE: (305) 220-2956 • FAX: (305) 227-2956