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March 29, 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. 6

Dear Judge Rufe:

This is the Multi-District Coordinator's Report No. 6 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 three-hundred-thirty-six (336) Zoloft cases pending in this MDL Court.

California

On November 28, 2012, a complaint was filed on behalf of twelve (12) Plaintiff families (collectively referred to as the *Barber* case) in the Superior Court of San Francisco County, California. Pfizer removed the *Barber* case to the Northern District of California and has moved to stay the proceedings pending a decision by the JPMDL on transfer to this Court. The *Barber* Plaintiffs moved to remand. The Honorable Judge Jon S. Tigar has set a hearing on Pfizer's motion to stay and the Plaintiffs' motion to remand for June 20, 2013.

Illinois

There are two cases pending in St. Clair County, Illinois. Plaintiffs in a third case that was previously reported to the Court, *Saville*, recently filed notices of voluntary dismissal and at least three of the five Plaintiff families have re-filed or are expected to re-file their cases in the MDL. The remaining cases are:

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Wilson et al. v. Pfizer—eight (8) Plaintiff families; and
Ratliff v. Pfizer—one (1) Plaintiff family involving twins.

Wilson is pending before the Honorable Andrew Gleeson and *Ratliff* is pending before the Honorable Vince Lopinot.

In *Wilson*, the parties have exchanged initial discovery responses and a protective order has been entered. Pfizer has also filed motions to sever and to dismiss on forum non conveniens grounds, served written discovery limited to forum non conveniens issues, and moved to stay further discovery pending coordination with the MDL and resolution of its pending motions. Oral argument on Pfizer's pending motions was heard on July 24, 2012, and those motions are awaiting a decision by Judge Gleeson.

The parties have also exchanged initial discovery responses in the *Ratliff* matter. In addition, defendant St. Elizabeth's Hospital has filed a Motion to Dismiss, which has been re-noticed for hearing on April 30, 2013.

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

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

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 filed a Notice of Appeal with the Court of Appeals for the Seventh Circuit.

On July 31, 2012, the Seventh Circuit raised an issue as to whether the order appealed from is a final appealable order and ordered the parties to file briefs addressing the jurisdictional issue. Pfizer filed its jurisdictional memorandum on August 13th and the Plaintiffs filed their response on August 20th. The appeal is pending.

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Missouri

Foster, et al. v. Pfizer involves twenty-three (23) Plaintiff families and is pending before Judge Steven R. Ohmer. Written discovery has been served by the Plaintiffs and responses have been served by Pfizer. There are no pending motions in *Foster*.

On February 6, 2013, the parties in *Lancaster, et al. v. Pfizer*, involving twenty (20) Plaintiff families, filed a stipulation of voluntary dismissal without prejudice. The majority of the Plaintiff families are expected to re-file in the MDL.

Honorable Steven Russell Ohmer
Twenty-First Judicial Circuit of the State of Missouri
10 N. Tucker Blvd.
St. Louis, MO 63101
Telephone: (314) 622-5606

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 three cases pending in New York County before Justice Carol E. Huff (*Petroci, Weese, and Jones*). Written discovery has been served in *Petroci*. On December 21, 2012, the *Weese* Plaintiffs filed a motion to dismiss Pfizer's affirmative defenses related to duty. On February 7, 2013, Pfizer cross-moved to dismiss the complaint on the ground that Pfizer has no duty or liability because Plaintiff allegedly used a generic version of sertraline made and sold by another company. These *Weese* motions have been fully briefed and the parties have requested oral argument. There are no other pending motions in either of the remaining two New York County cases.

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

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Pennsylvania

There is one (1) case pending in the Philadelphia County Court of Common Pleas, *Robinson v. Wolters Kluwer, Inc. et al.* Written discovery has been served by Plaintiff and responses served by Pfizer. There are no pending motions.

Honorable Marlene Lachman
Court of Common Pleas of Philadelphia County
1413 Criminal Justice Center
1301 Filbert Street
Philadelphia, PA 19107
Telephone: (215) 683-7136

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 and eighteen (18) of the nineteen (19) cases were removed to federal court by Pfizer.

Pfizer filed a Motion to Dismiss on grounds of forum non-conveniens in the one case that remains pending before Circuit Court Judge James H. Young, Jr. Judge Young denied Pfizer's motion and the West Virginia Supreme Court of Appeals denied Pfizer's petition for a writ of prohibition. On February 27, 2013, Judge Young entered an order directing the parties to proceed with discovery, coordinating where possible with the MDL, and set a status conference for May 6, 2013. Earlier this month, I sent a letter to Judge Young letting him know that the MDL stands ready to assist in coordinating discovery to the extent it may be helpful.

On September 25, 2012, the Honorable Robert C. Chambers of the Southern District of West Virginia issued an order remanding the eighteen (18) cases to the Circuit Court of Wayne County. Pfizer filed a Notice of Appeal with the Fourth Circuit Court of Appeals. Briefing is complete, and oral argument has been set for May 15, 2013.

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

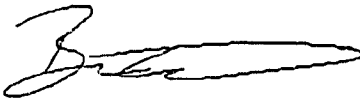
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Finally, I am pleased to report that the court-authorized Zolof MDL website is now online and may be accessed at <http://www.zolofmdl.com>.

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)
Rachel Passaretti-Wu (via e-mail)
Kim Lambert (via e-mail)