

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

IN RE: ZOLOFT (SERTRALINE	:	MDL NO. 2342
HYDROCHLORIDE) PRODUCTS	:	12-MD-2342
LIABILITY LITIGATION	:	
	:	HON. CYNTHIA M. RUFÉ
	:	
THIS DOCUMENT APPLIES TO:	:	
ALL ACTIONS	:	

PRETRIAL ORDER NO. 16 (Master Short-Form Answer)

AND NOW, this 2nd day of January 2013, upon consideration of the parties' Joint Motion [Doc. No. 304], and to promote efficiency for the Court and the parties in the above-captioned matter, it is hereby **ORDERED** that the Motion is **GRANTED**. The Court hereby enters the following Order to set forth the procedure for filing responses to all civil actions that are or become consolidated in MDL No. 2342, and to govern further proceedings in this litigation, in conjunction with the rules set forth in prior Orders not explicitly altered or modified by the terms of this or other Orders.

I. Scope of This Order

This Order applies to all actions transferred to the *In re: Zoloft (Sertraline Hydrochloride) Products Liability Litigation*, MDL No. 2342 ("In re Zoloft Litigation") by the Judicial Panel on Multidistrict Litigation pursuant to its order of April 17, 2012, all related actions originally filed in this Court, and any "tag-along" actions transferred to this Court by the Judicial Panel on Multidistrict Litigation pursuant to Rules 7.1 and 7.2 of the Rules of Procedure of the Panel, after the filing of the final transfer order by the Clerk of this Court.

II. Filing of a Master Short-Form Answer by Pfizer Inc., Greenstone LLC, and Pfizer International LLC

The Master Short-Form Answer and Affirmative Defenses (“Master Short-Form Answer”) shall be filed once by Defendants Pfizer Inc. (“Pfizer”),¹ Greenstone LLC, formerly Greenstone LTD (“Greenstone”), and Pfizer International LLC (collectively, the “Pfizer and Greenstone Defendants”) in MDL No. 2342 upon entry of this Pretrial Order, and shall be deemed to respond to the allegations of all of the complaints then pending in, filed in, or transferred to MDL No. 2342 as described above. In their Master Short-Form Answer, the Pfizer and Greenstone Defendants may generally deny the allegations of the complaints and assert defenses. The Master Short-Form Answer is not intended to and shall not waive any applicable defenses available to the Pfizer and Greenstone Defendants, including any objections to service, jurisdiction or venue, and the Pfizer and Greenstone Defendants may respond to any particular individual complaint by way of motions permissible under the Federal Rules of Civil Procedure. The Pfizer and Greenstone Defendants may also file counterclaims, crossclaims and/or third-party complaints, pursuant to Rules 13 and 14 of the Federal Rules of Civil Procedure, in connection with any particular individual action. To the extent any of the Pfizer or Greenstone Defendants desires to respond to any particular individual complaint for the purpose of motion practice, or for the purpose of pleading any additional affirmative defenses, counterclaims, crossclaims and/or third-party complaints, the Pfizer or Greenstone Defendant shall file any such motions or pleadings within 45 days of transfer of the action to the MDL or, for those actions

¹ “Pfizer” includes all current and former unincorporated divisions and business units, including, without limitation, Roerig.

currently pending in the MDL, within 45 days of the filing of the Master Short-Form Answer.

Because the Pfizer and Greenstone Defendants shall be deemed to have answered all cases pending in, filed in, or subsequently transferred to MDL No. 2342 upon filing of the Master Answer, cases may only be voluntarily dismissed by order of court pursuant to Federal Rule of Civil Procedure 41(a)(2) or a stipulation signed by all parties pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii).

III. Response to Master Short-Form or Other Answer

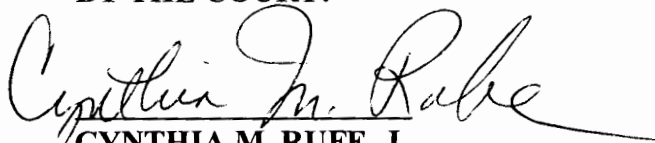
Plaintiffs are deemed to deny each allegation of the Master Short-Form Answer.

Plaintiffs in any of the actions consolidated in MDL No. 2342 may also file responsive pleadings allowed under the Federal Rules of Civil Procedure to this Master Short-Form Answer or any subsequent answer:

- A. within sixty (60) days of filing of the Master Short-Form Answer for actions pending in the MDL at the time of said filing;
- B. within sixty (60) days of the filing of any separate individual answer; or
- C. within sixty (60) days of transfer of the action to the MDL, if such transfer occurs after the filing of the Master Short-Form Answer.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.