

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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IN RE: NEW YORK RENU WITH MOISTURELOC :
PRODUCT LIABILITY LITIGATION :
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: :

Index No. 766,000/2007

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THIS DOCUMENT APPLIES TO ALL CASES

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IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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IN RE: BAUSCH & LOMB CONTACT LENS :
SOLUTION PRODUCT LIABILITY LITIGATION :
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MDL No.: 1785
C/A No. 2:06-MN-77777-DCN

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THIS DOCUMENT APPLIES TO ALL CASES

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**ORDER ON HILL & KNOWLTON RELATED DOCUMENTS
WITHHELD OR REDACTED ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE**

DANIEL J. CAPRA, SPECIAL MASTER:

In my order dated May 6, 2008, I held that the protection of the attorney-client privilege was lost when Bausch & Lomb communicated to Hill & Knowlton because Hill & Knowlton was hired by Bausch & Lomb to provide only basic public relations advice. See May 6, 2008 Memorandum and Order at p. 10.

Plaintiffs have requested that my order be extended to all Hill & Knowlton-related documents. Bausch & Lomb has agreed that my further review is not necessary for any such documents withheld on the basis of the attorney-client privilege.

Therefore, I hereby order that all documents provided to Hill & Knowlton previously withheld or redacted solely on the basis of the attorney-client privilege shall be produced to plaintiffs within 5 days of the date of this order.

This order does not address the issue of whether litigation hold notices sent to Hill & Knowlton retain their protection as work product.

SO ORDERED:

A handwritten signature in black ink, appearing to read 'D. Capra', is written over a horizontal line.

Daniel J. Capra
Special Master

Dated: New York, New York
May 12, 2008