

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

In re: Bausch & Lomb Inc. Contact Lens Solution MDL Docket No. 1785  
Products Liability Litigation

C/A No. 2:06-MN-77777-DCN

This Order Relates To: All Cases

**SUPPLEMENT TO CASE  
MANAGEMENT ORDER NO. 3**

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Pursuant to stipulation of the parties and in the interest of judicial economy, the Court hereby amends Section VI. of Case Management Order No. 3 and enters the following order for the discovery of information related to expert witnesses:

1) Drafts of the reports prepared by testifying experts shall not be subject to discovery. This limitation applies regardless of whether such draft reports have been disclosed or otherwise transmitted to in-house or outside counsel for the party or parties retaining such expert; and

2) Conversations and other communications between the testifying expert and in-house or outside counsel regarding or relating to any draft report or the process of drafting the report shall not be subject to discovery.

SO ORDERED.



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**DAVID C. NORTON  
CHIEF UNITED STATES DISTRICT JUDGE  
DISTRICT OF SOUTH CAROLINA**

June 17, 2008  
Charleston, SC