

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law
151 Meeting Street / Sixth Floor / Charleston, SC 29401-2239
Tel: 843.853.5200 Fax: 843.722.8700
www.nelsonmullins.com

Eli A. Poliakoff
Tel: 843.534.4122
eli.poliakoff@nelsonmullins.com

March 28, 2008

Via Electronic Mail

Gedney Howe
tluntsford@gedneyhowe.com

Jesse Kirchner
jkirchner@tktlawfirm.com

Daniel Becnel
dbecnel@becnellaw.com

Mitchell Breit
mbreit@whatleydrake.com

Wendy Fleishman
wfleishman@lchb.com

H. Blair Hahn
bhahn@rpwb.com

Gordon Ball
gball@ballandscott.com

RE: Bausch & Lomb Inc. Contact Lens Solution Product Liability Litigation
MDL Docket No. 1785

Dear Counsel:

Attached please find the cross notice for the deposition of Jennifer Murray on April 22, 2008. Documents used in this deposition may be subject to a Protective Order entered in this case or by the MDL Court. Anyone attending this deposition must agree to be bound by such a protective order. If you plan to attend, please contact Sherry Durgan at 816-474-6550 by

MDL Counsel
March 28, 2008
Page 2

4/14/08 to coordinate and to address any issues specific to the protective order. The call-in number for this deposition will be (888) 331-4920, Conference Code 5568743311

Very truly yours,

A handwritten signature in black ink, appearing to read "Eli A. Poliakoff". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Eli A. Poliakoff

EAP:ep2

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

In re: Bausch & Lomb Contact Lens)
Solution Products Liability Litigation) MDL No: 1785
)
) C/A No. 2:06-MN-77777-DCN
)
)
This Notice Relates To: All Cases)
)
)
)
_____)

CROSS-NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that the deposition of the following person will be taken upon oral examination as set out below:

Deponent: **Jennifer Murray**
Date: April 22, 2008, and from day to day until completed
Time: 9:00 a.m.
Location: Nixon Peabody
1100 Clinton Square
Rochester, NY 14604

This deponent will appear pursuant to the Federal Rules of Civil Procedure at the time and place specified above to give testimony in *In re: New York ReNu with MoistureLoc Product Liability Litigation*, Index No. 766,000/2007, Supreme Court of the State of New York County of New York. This deposition is cross-noticed in the above-captioned matter for any and all purposes permitted by the local rules that apply to this action, and the deposition will be taken in accordance with these rules. In addition, the deposition will be taken in the presence of a certified court reporter and may be videotaped.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ELI A. POLIAKOFF

Michael T. Cole
Federal Bar No. 206
E-Mail Address: mike.cole@nelsonmullins.com
Jane T. Davis
Federal Bar No. 1048
E-Mail Address: jane.davis@nelsonmullins.com
Eli A. Poliakoff
Federal Bar No. 9747
E-mail address: eli.poliakoff@nelsonmullins.com
151 Meeting Street / Sixth Floor
Post Office Box 1806 (29402)
Charleston, SC 29401-2239
(843) 853-5200

O'MELVENY & MYERS LLP

John H. Beisner, Esq.
Jessica Davidson Miller, Esq.
1625 Eye Street, N.W.
Washington, D.C. 20006

SHOOK HARDY & BACON L.L.P.

Harvey Kaplan, Esq.
Marie Woodbury, Esq.
2555 Grand Boulevard
Kansas City, MO 64108

Attorneys for Bausch & Lomb Incorporated

March 28, 2008

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **CROSS NOTICE OF DEPOSITION OF Jennifer Murray** has been served upon the parties to this action by sending copies thereof via electronic mail addressed to:

Gedney Howe
PO Box 1034
Charleston, SC 29402
tluntsford@gedneyhowe.com

Jesse Kirchner
Thurmond Kirchner & Timbes PA
15 Middle Atlantic Wharf, Suite 101
Charleston, SC 29401
jkirchner@tktlawfirm.com

Daniel Becnel
Becnel Law Firm, LLC
106 West Seventh Street
PO Drawer H
Reserve, LA 70084
dbecnel@becnellaw.com

Mitchell Breit
Whatley Drake & Kallas
75 Rockefeller Plaza, 19th Floor
New York, NY 10019
mbreit@whatleydrake.com

Wendy Fleishman
Lieff Cabraser Heimann & Bernstein, LLP
780 Third Avenue, 48th Floor
New York, NY 10017
wfleishman@lchb.com

H. Blair Hahn
Richardson Patrick Westbrook & Brickman, LLC
PO Box 1007
Mt. Pleasant, SC 29465
bhahn@rpwb.com

Gordon Ball
Ball & Scott, PA
550 Main Avenue, Suite 750
Knoxville, TN 37902
gball@ballandscott.com

March 28, 2008

s/ ELI A. POLIAKOFF
Eli A. Poliakoff