

I. EXPERT WITNESS DISCOVERY SCHEDULE

A. Plaintiffs' Expert Witnesses

Plaintiffs in the Bellwether trial cases will identify their expert witnesses, and serve their experts' reports in compliance with Fed. R. Civ. P. 26(a)(2)(B), on or before June 20, 2008. Depositions of plaintiffs' expert witnesses will be completed on or before July 25, 2008.

B. Defendant's Expert Witnesses

Defendant will identify its expert witnesses, and its experts' reports in compliance with Fed. R. Civ. P. 26(a)(2)(B), on or before July 18, 2008. Depositions of defendant's expert witnesses will be completed on or before August 26, 2008.

II. SCHEDULE FOR DISPOSITIVE AND DAUBERT/FRYE MOTIONS

A. Motions and Briefing Schedule

The parties shall file any dispositive and *Daubert/Frye* motions in all Bellwether trial cases on or before August 29, 2008. Opposition briefs and memorandum shall be filed on or before September 19, 2008. Reply briefs and memoranda shall be filed on or before Oct 3, 2008.

B. Hearing on Motions

A joint Daubert/Frye hearing before Judge Norton and Justice Freedman will be held after October 3, 2008. Hearings on dispositive motions in the bellwether trial cases will be held on or before October 17, 2008. Hearings on dispositive motions in MDL bellwether trial cases will be held before Judge Norton; hearing on dispositive motions in New York bellwether trial cases will be held before Justice Freedman.

III. PRETRIAL SUBMISSIONS IN BELLWETHER TRIAL CASES

In the MDL bellwether cases, final witness lists, exhibit lists, and deposition designations are due on October 17, 2008. Any motions in limine are due on October 17, 2008. Objections to deposition designations and counter-designations, oppositions to motions in limine, and proposed jury instructions are due on October 24, 2008.

Justice Freedman will set dates for witness lists, exhibit lists, deposition submissions, motions in limine, objections to deposition designations and counter-designations, oppositions to motions in limine, and proposed jury instructions in the NY cases at her discretion.

AND IT IS SO ORDERED.



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

June 6, 2008
Charleston, South Carolina

HELEN E. FREEDMAN
SUPREME COURT OF THE STATE OF
NEW YORK, COUNTY OF NEW YORK

June __, 2008
New York, New York