

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

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

**PRETRIAL ORDER NO. 8
(Filing of Complaints With Multiple Plaintiffs)**

This Order shall apply to any complaint in which more than one individual plaintiff alleges that he or she suffered personal injury as a result of using ReNu® with MoistureLoc® (“multi-plaintiff complaint”). The Order shall apply to multi-plaintiff complaints currently pending in MDL No. 1785 and to any and all related actions that shall be filed in, transferred to, or removed to MDL No. 1785.

IT IS HEREBY ORDERED THAT:

1. For the convenience of the parties and the Court, multiple plaintiffs may initiate an action in this MDL in one complaint, provided that the plaintiffs are residents of the same state and allege the same claims under that state’s laws.
2. The Clerk of this Court shall assess a single filing fee on any multi-plaintiff complaint.
3. The filing of any multi-plaintiff complaint shall not result in any plaintiffs’ claims being joined for trial or any other purpose without a case-specific Order of this Court. Such an Order shall only be issued after a duly-noticed motion filed according to the procedures established in this Court’s pretrial orders to consolidate multiple actions. The burden to establish that such consolidation or joinder is appropriate lies with the moving party. The filing of any multi-plaintiff complaint shall not be construed as a determination by the Court that such plaintiffs should be permissively or otherwise joined under the Federal Rules of Civil Procedure. The filing of any multi-plaintiff complaint shall not be construed as a waiver of any defendant’s contention that such joinder is improper.
4. Before remanding or transferring any multi-plaintiff complaint to any other court, this Court shall sever the claims of each individual plaintiff listed on the multi-plaintiff complaint. Such severance shall occur without further motion by any party to MDL No. 1785.

5. Upon remand or transfer, individual plaintiffs severed from any multi-plaintiff complaint filed in this MDL shall pay such filing fees and take other such actions as required by the court to which the actions are transferred or remanded.

IT IS SO ORDERED.

Charleston, South Carolina, this 22nd day of February, 2007.

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

Hon. David C. Norton
United States District Judge