

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

|   |   |                              |
|---|---|------------------------------|
| In re: Bausch & Lomb Contact Lens<br>Solution Products Liability Litigation | ) | MDL No: 1785                 |
|   | ) |                              |
|   | ) | C/A No. 2:06-MN-77777-DCN    |
|   | ) |                              |
| This Order Relates To: All Cases  | ) | <b>PRETRIAL ORDER NO. 14</b> |
|   | ) |                              |
|   | ) |                              |

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**FUSARIUM KERATITIS BELLWETHER TRIAL CASE SELECTION**

Pursuant to Pretrial Order No. 13 (“Case Selection Plan for Fusarium Keratitis Bellwether Trial”) filed January 31, 2008, counsel have narrowed the Initial Fusarium Keratitis Discovery Cases to two cases:

| Case Caption                                     | Case Number | Plaintiff’s Counsel  |
|--|-------------|--|
| Whitney Ervin Mitchell v.<br>Bausch & Lomb, Inc. | 07-3220     | William Quinn<br>Langston Law Firm<br>P.O. Box 787<br>Booneville, MS 38829-0787  |
| Marsha H. Shell v.<br>Bausch & Lomb, Inc.        | 07-1849     | Paul D. Merullo<br>Shuttleworth, Ruloff, Giordano &<br>Swain, P.C.<br>4325 South Blvd., Suite 300<br>Virginia Beach, VA 23452-1137 |

As provided in Pretrial Order No. 13, the court has randomly selected one of these cases to serve as the fusarium keratitis bellwether trial case:

**Marsha H. Shell v. Bausch & Lomb, Inc., C/A No. 07-1849**

**AND IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'D. Norton', written in a cursive style.

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**DAVID C. NORTON  
CHIEF UNITED STATES DISTRICT JUDGE**

**March 3, 2008  
Charleston, South Carolina**