



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: ZOLOFT LITIGATION

Civil Action No. 14-C-7000

THIS DOCUMENT APPLIES TO:

*J.C., a minor by and through his mother and
next friend Michelle C*

Civil Action No. 12-C-146 WNE

*I.H., a minor by and through his mother and
next friend Angela H*

Civil Action No. 13-C-229 WNE

**ORDER SCHEDULING DEADLINES FOR MOTIONS REGARDING
CABRERA STUDY DOCUMENTS AND DAVID A. KESSLER, M.D.**

On September 9, 2016, the Court granted Defendants' motion to exclude Plaintiffs' expert, Adam C. Urato, M.D., granted Plaintiffs' motion seeking leave to designate a replacement expert for Dr. Urato, and ordered Plaintiffs to designate a replacement expert for Dr. Urato no later than September 16, 2016. *Order Excluding Plaintiffs' Expert, Adam C. Urato, MD* (Transaction ID 59537225). Plaintiffs designated David A. Kessler, M.D. as their expert on failure to warn issues in the and cases on September 16, 2016. *Plaintiffs' Supplemental Disclosure of Experts* (Transaction ID 59574134).

On September 21, 2016, the Court granted counsel for Defendants' motion for a continuance of the October 24, 2016, trial date in order to give Defendants sufficient time to obtain Dr. Kessler's expert report in the and cases, and to prepare for and take the deposition of Dr. Kessler. *Order Continuing October 24, 2016, Trial Date* (Transaction ID 59590679). The Court also reminded the parties that, "all motion practice is now closed, except by leave of Court, with the exception of *Daubert/Wilt* motions related to Dr. Kessler, and with respect to any motion related to Dr. Cabrera's study documents. Deadlines for such motions will be forthcoming."

On October 18, 2016, Defendants noticed the deposition of Dr. Cabrera on October 25, 2016. *Notice of Deposition of Robert M. Cabrera, Ph.D.* (Transaction ID 59711633). On November 15, 2016, Plaintiffs withdrew their previous designation of David A. Kessler, M.D. *Plaintiffs' Supplemental Disclosure of Experts* (Transaction ID 59836094).

Accordingly, the Court ORDERS that any motion related to the withdrawal of Dr. Kessler, and any motion related to Dr. Cabrera's study documents shall be filed and served no later than November 30, 2016. Any response to such motion(s) shall be filed and served no later than December 14, 2016. Any reply in support of such motion(s) shall be filed and served no later than December 21, 2016.

It is so ORDERED.

ENTER: November 16, 2016.

/s/ James P. Mazzone
Lead Presiding Judge
Zoloft Litigation