



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: ZOLOFT LITIGATION

CIVIL ACTION NO. 14-C-7000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER REGARDING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AS TO PUNITIVE DAMAGES OR, ALTERNATIVELY, FOR A BIFURCATED TRIAL

On August 15, 2016, Defendants filed a *Motion for Summary Judgment as to Punitive Damages or, Alternatively, for a Bifurcated Trial* (Transaction ID 59423421). Plaintiffs oppose Defendants' motion for summary judgment as to punitive damages, but do not oppose Defendants' request to bifurcate punitive damages. *Plaintiffs' Response and Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment as to Punitive Damages or, Alternatively, for a Bifurcated Trial* (Transaction ID 59487629).

Upon consideration of the parties' submissions, and having conferred with one another to insure uniformity of their decision, as contemplated by Rule 26.07(a) of the West Virginia Trial Court Rules, the Panel unanimously GRANTS Defendants' motion to bifurcate punitive damages and ORDERS that evidence and argument on issues of liability for and amount of punitive damages will be reserved for a second phase of a bifurcated trial. The Panel HOLDS IN ABEYANCE Defendants' motion for summary judgment as to punitive damages.

The parties' objections and exceptions are noted and preserved.

It is so ORDERED.

ENTER: October 5, 2016.

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