

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: VIOXX : MDL NO. 1657
PRODUCTS LIABILITY LITIGATION : SECTION: L
 : JUDGE FALLON
 : MAG. JUDGE KNOWLES
..... :

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER #2

Pursuant to Pretrial Order #1 issued by this Court on February 18, 2005, counsel for the plaintiffs have conferred and presented to the Court recommendations for Plaintiffs' Liaison Counsel. The Court found each of the candidates to be highly qualified and, after carefully considering which recommended attorney would best serve the needs of this particular litigation, designates Russ Herman, 820 O'Keefe Ave., New Orleans, Louisiana, 70113, to be Plaintiffs' Liaison Counsel.

The responsibilities of Plaintiffs' Liaison Counsel shall be the following:

1. to serve as the recipient for all Court orders;
2. to coordinate service and filings;
3. to maintain and distribute to co-counsel and to Defendants' Liaison Counsel an up-to-date service list;
4. to receive and distribute pleadings, orders, and motions by overnight courier service and telecopier within two days after receipt, unless such service has been waived, in writing, by a receiving counsel (until some program for electronic service can be arranged and agreed upon);

5. to establish and maintain a document depository, real or virtual, to be available to all plaintiffs counsel;
6. to maintain and make available to all plaintiffs counsel of record at reasonable hours a complete file of all documents served by or upon each party (except such documents as may be available at a document depository); and
7. to carry out such other duties as the Court may order.

Liaison Counsel shall be entitled to seek reimbursement for costs expended at the time and in a manner approved by the Court.

New Orleans, Louisiana, this 28 day of February, 2005.

/s/ Eldon E. Fallon
ELDON E. FALLON
UNITED STATES DISTRICT JUDGE