

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: XARELTO (RIVAROXABAN)	:	
PRODUCTS LIABILITY LITIGATION	:	MDL No. 2592
	:	
	:	SECTION L
THIS DOCUMENT RELATES TO:	:	
ALL CASES	:	
	:	JUDGE ELDON E. FALLON
	:	
	:	MAGISTRATE JUDGE NORTH

PRETRIAL ORDER NO. 31(a)

(APPLICABLE TO NON-CMO 6 CASES ONLY)

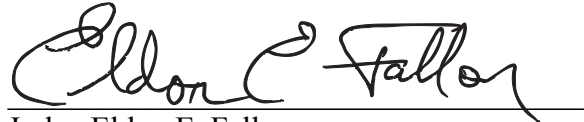
The Court has previously addressed Plaintiff Fact Sheets (“PFS”) in Case Management Order No. 1 [Rec. Doc. 891], Pre-Trial Order No. 13 [Rec. Doc. 895], Pre-Trial Order No. 13A [Rec. Doc. 1040], and Pre-Trial Order No. 27 [Rec. Doc. 3132] (collectively the “PFS Orders”). In an effort to resolve instances where PFS do not comply with the Court’s PFS Orders, the parties have agreed, and the Court so Orders that the procedure set forth in PTO 31, Protocol to Assist in Addressing Plaintiff Fact Sheets Which Defendants Contend Are Not In Compliance with Court Orders, is hereby amended as follows:

1. Pursuant to PTO 13, in cases where Defendants allege the PFS has not been timely provided, Defendants’ counsel will send counsel for the Plaintiff (or in the event the claimant is Pro se, then directly to the Pro se claimant) a letter requesting that a PFS be served within 20 days.
2. Pursuant to PTO 13, in cases where a PFS is received timely but alleged by Defendants to be deficient because it does not comply with the PFS Orders, Defendants’ counsel will send counsel for the Plaintiff a letter specifically outlining the deficiency at issue and requesting that the deficiency(ies) be cured within 20 days.

3. If the 20-day cure period has passed and the Plaintiff has not submitted an allegedly overdue PFS or cured the alleged deficiencies in the PFS, as applicable, Defendants may list the case on the agenda for the next case management conference.

4. If a case appears on the agenda for two case management conferences and the PFS issues have not been cured, Defendants may request that the case be listed on an Order to Show Cause as to why the case should not be dismissed with prejudice. That Order to Show Cause shall be returnable at the next court conference and require the listed Plaintiff to show cause as to why the case should not be dismissed with prejudice.

New Orleans, Louisiana, on this 11th day of December, 2018.

A handwritten signature in black ink, reading "Eldon E. Fallon". The signature is written in a cursive style with a horizontal line underneath it.

Judge Eldon E. Fallon
United States District Court Judge