

STATE OF WISCONSIN,

Plaintiff,

v.

ABBOTT LABORATORIES, et. al.,

Defendants.

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Case No.: 04 CV 1709

ORDER FOLLOWING JULY 23, 2007 STATUS CONFERENCE

The Court having been briefly apprised by the parties of the status of this matter at a conference held on the afternoon of July 23, 2007, hereby orders and adopts the following:

I. Revised Briefing Schedule for Pending Motions.

A. "Wisconsin's Amended Motion for Partial Summary Judgment on Liability Against Johnson & Johnson and its Subsidiaries with Respect to Counts I and II of Wisconsin's Complaint, and Supporting Memorandum," served and filed on July 2, 2007.

1. The response to this motion shall be served on or before January 15, 2008, unless a showing is made that more time is required.
2. The State of Wisconsin shall have twenty (20) days after the response is served to file its reply, unless a showing is made that more time is required.

B. "Amended Motion for Partial Summary Judgment On Liability Against Defendant Sandoz Inc. With Respect To Counts I and II of Wisconsin's Second Amended Complaint, and Supporting Memorandum Filed By Plaintiff State of Wisconsin," served and filed on July 2, 2007.

1. The response to this motion shall be served on or before January 15, 2008, unless a showing is made that more time is required.
2. The State of Wisconsin shall have twenty (20) days after the response is served to file its reply, unless a showing is made that more time is required.

C. "Defendants' Joint Motion to Sever, or in the Alternative, for Separate Trials," served and filed on July 16, 2007.

1. Plaintiff has until August 24, 2007 to file a response.
2. Defendants have until September 14, 2007 to file a reply.

II. Case Management and Scheduling Orders.

- A. The Court has approved the language set forth in the attached Case Management Order No. 2.
- B. The Court will revisit the matter of trial date(s) and related scheduling leading up to trial(s), as appropriate, after it decides Defendants' pending Joint Motion to Sever, or in the Alternative, for Separate Trials.

III. Presently Anticipated Motion.

- A. Plaintiff has indicated its intention to file a third partial summary judgment motion on liability against AstraZeneca by the end of August 2007.
- B. The Court will establish a deadline for the response and reply after hearing from AstraZeneca at the next status conference as to whether it believes additional discovery is necessary to respond to the to-be-filed summary judgment motion against it.

IV. September Status Conference.

- A. There will be no status conference in August.
- B. The next status conference has been scheduled in September by separate order.

Date: 8/23/07



Judge Niess, Dane County Circuit Court