

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE LORAZEPAM & CLORAZEPATE  
ANTITRUST LITIGATION

MDL - 1290 (TFH/JMF)  
Misc. No. 99ms276

This document applies to:

Judge Thomas F. Hogan

All Actions

FEDERAL TRADE COMMISSION

Plaintiff,

v.

MYLAN LABORATORIES, INC.,  
CAMBREX CORP.,  
PROFARMACO S.R.L., and  
GYMA LABORATORIES OF AMERICA, INC.,

Defendants.

98-CV-3114 (TFH/JMF)

**FILED**

**APR 17 2001**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

**JOINT PROPOSED FIFTH AMENDED MASTER SCHEDULING ORDER**

**IT IS HEREBY ORDERED** that the schedule in the above-captioned matter shall be amended as follows:

- July 26, 2000 Fact discovery is suspended generally, except that discovery relating to class certification and standing issues in all Non-Settling Actions commences.
- April 30, 2001 Plaintiffs' reply briefs in support of class certification in Non-Settling Actions and Plaintiffs' opposition to Defendants' Motion to Dismiss Non-Settling Actions, together with affidavits of class experts, if any, due.
- May 9, 2001 Defendants' reply briefs in support of Motion to Dismiss Non-Settling Actions and Defendants' sur-reply in opposition to class certification in Non-Settling Actions due. If Defendants wish to file a rebuttal expert affidavit, Plaintiffs reserve their right to object to such filing.
- May 11, 2001 Plaintiffs' sur-reply in opposition to Defendants' Motion to Dismiss Non-Settling Actions. If Plaintiffs wish to file a rebuttal expert affidavit, Defendants reserve their right to object to such filing.

Plaintiffs shall be entitled to depose Defendants' class expert witness, Milton F. Minor, R.Ph., at least 10 days before Plaintiffs' reply papers are due.

If Plaintiffs submit in opposition to Defendants' Motion to Dismiss, or in reply to Defendants' opposition papers, any affidavits from expert or other witnesses, then Defendants shall be entitled to depose such witnesses by May 4, 2001. Decisions as to whether to re-depose any witnesses already deposed shall be addressed by the parties, if necessary, after Plaintiffs file their opposition and reply.

General fact discovery, if necessary, recommences 30 days from the Court's decision on class certification issues in the Non-Settling Actions.

Sixty days after general fact discovery recommences, fact discovery for all pending Actions closes and Plaintiffs in all pending Actions provide liability and/or damages expert reports.

Thirty days after Plaintiffs in all pending Actions provide liability and/or damages expert reports, Defendants provide liability and/or damages expert reports.

Thirty days after Defendants provide expert reports, Plaintiffs in all pending Actions provide rebuttal expert reports.

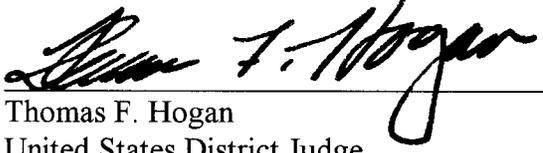
Forty-five days after Plaintiffs in all pending actions provide rebuttal expert reports, expert discovery closes.

Closing date for summary judgment motions forty-five days after expert discovery closes.

Thirty days after the closing date for summary judgment motions, oppositions to summary judgment due.

Thirty days after oppositions to summary judgment are due, replies to oppositions to summary judgment due.

Sixty days after summary judgment motions are fully briefed, final pretrial conference held. Trial to begin within 30 to 60 days of the final pretrial conference pursuant to Local Rule 206(c)(13)

  
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Thomas F. Hogan  
United States District Judge

Dated: 17, 2000