

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

IN RE: : **MDL DOCKET NO. 4:03-CV-1507-WRW**
: **PREMPRO PRODUCTS LIABILITY** :
: **LITIGATION** : **ALL CASES**

ORDER

Wyeth's Motion to Dismiss and For Sanctions (Doc. No. 2069) is GRANTED in PART and DENIED in PART -- the request for dismissals is denied at this time, and the request for sanctions is granted as set out below.

Plaintiffs' counsel -- the Bailey & Galyen Law Firm -- is required to assign or hire an associate or paralegal to immediately contact all Plaintiffs who continue to be identified by Wyeth as having insufficient fact sheets,¹ and fill out fact sheets in accurate and plenary fashion.

Plaintiffs' counsel is to notify other counsel and me of the name and qualifications of this individual by 5 p.m., Wednesday, July 15, 2009.

Additionally, Plaintiffs' counsel is directed to pay \$5,000 to Defendant Wyeth to partially compensate them for the time and effort involved in seeking adequate fact sheets after various deadlines.

All of these fact sheets, properly completed, must be submitted to Defendants by 5 p.m., Wednesday, August 5, 2009, or suffer dismissal of the claims of those without a properly completed fact sheet.

It is likely that additional sanctions -- and perhaps considerably more severe sanctions -- will be imposed if substantial effort is required to review the adequacy of fact sheets filed by August 5, 2009.

¹Plaintiffs from CTOs 141, 142, 143, and 145 who are subject to this Order, are listed in Doc. No. 2070, Exhibits 3, 4, 5.

If Plaintiffs' counsel objects to my requiring the designating or hiring of the associate or paralegal discussed above, such objection must be filed by 5 p.m., Wednesday, July 15, 2009. If there is such an objections, and I find it meritorious, it is virtually certain that I will fashion another remedy which may be more rigorous and painful.

IT IS SO ORDERED this 1st day of July, 2009.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT COURT