IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

GARY SELINSKY, *et al.* AND RELATED CASES

Civil No. 06-873 JMR/FLN

RELATED CASES:

Plaintiffs,

v.

BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., a Delaware corporation, PFIZER INC., a Delaware corporation, PHARMACIA CORPORATION, a Delaware corporation, and PHARMACIA & UPJOHN COMPANY LLC,

Defendants.

ORDER re DEFENDANTS' PRODUCTION SCHEDULE

Pursuant to the Court's January 8, 2007, ruling on plaintiffs' Motion to Compel Production of Documents, the parties have met and conferred regarding defendants' production schedule. IT IS HEREBY ORDERED that the following production schedule, as generally described below, will govern the production of documents responsive to the categories of documents identified in plaintiffs' Motion to Compel.

Dated: January 17, 2007

s/ *Franklin L. Noel*
Franklin L. Noel
United States Magistrate Judge

PRODUCTION SCHEDULE

Production Date	Production Includes
Friday, January 12, 2007 **(BIPI)**	1) Supplemental FDA IND and NDA submissions 2) BIPI's retention and destruction policies (Req. No. 25)
Tuesday, January 16, 2007 **(Pfizer)**	1) Regulatory Custodial File 2) Regulatory/Safety Custodial File
Friday, January 19, 2007 **(BIPI)**	1) Corporate Organizational Charts (Req. No. 1) (to the extent not previously produced) 2) Safety Surveillance Policies (Req. No. 26) 3) Documents re Pfizer's discontinuation of sumanirole and whether Pfizer's efforts to develop sumanirole were intended to create a drug with less potential to cause psychiatric problems or compulsive behavior (Req. No. 34) as represented by plaintiffs' in their Motion to Compel and to the Court at the November 27, 2006 hearing on their motion. *(See November 27, 2006 Transcript of Hearing, 18:8-15).* 4) Montford Piercey documents re psychiatric/psychological/behavioral effects of Mirapex or sumanirole (Req. No. 35).
Monday, January 22, 2007 **(Pfizer)**	1) Marketing Custodial File 2) Prescriber sales contact information for Group 1 plaintiffs 4) Documents re Pfizer's discontinuation of sumanirole and whether Pfizer's efforts to develop sumanirole were intended to create a drug with less potential to cause psychiatric problems or compulsive behavior (Req. No. 34) as represented by plaintiffs' in their Motion to Compel and to the Court at the November 27, 2006 hearing on their motion. *(See November 27, 2006 Transcript of Hearing, 18:8-15).* Additional documents will be produced as custodial files are reviewed and to the extent they exist. 5) Montford Piercey documents re psychiatric/psychological/behavioral effects of Mirapex or sumanirole (Req. No. 35). Additional documents will be produced as custodial files are reviewed and to the extent they exist.

Production Date	Production Includes
Wednesday, January 31, 2007 **(BIPI)**	1) Payments made to plaintiffs' prescribing physicians and symposium attendance information for Group 1 plaintiffs. (*See November 27, 2006 Transcript, 24:13-25, 25:1-2).* 2) Documents describing marketing and promotional databases to the extent they exist 3) Partial Production of BI/BICL documents: a. Canadian Product Monograph b. Basic Product Information c. Periodic Safety Update Reports d. Clinical Expert Statements regarding impulse control disorders, including pathological gambling, and pharmacology
Monday, February 5, 2007 **(Pfizer)**	1) Marketing Custodial File 2) Public Relations Custodial File 3) Payments made to plaintiffs' prescribing physicians and symposia attendance information for Mirapex for Group 1 plaintiffs. (*See November 27, 2006 Transcript, 24:13-25, 25:1-2).* 4) Liability Insurance Policies 5) Documents describing marketing and promotional databases to the extent they exist 6) Pharmacia/Pfizer retention and destruction policies (Req. No. 25) (to the extent not previously produced)

Production Date	Production Includes
Friday, February 9, 2007 **(BIPI)**	1) Documents responsive to Request Number 32 "to the extent that it requests all documents that relate or refer to any program or incidents in anyway associated with Mirapex in which Defendant or persons acting on its behalf provided payment, honorarium, grant, food entertainment or other incentive, directly or indirectly, to clinical trial researchers." (*See Order dated December 5, 2006, para. 5).* 2) "All documents that relate or refer to any communications regarding the publication, proposed or actual of any research or data concerning Mirapex or other dopamine agonist." (Req. No. 38) (*See Order dated December 5, 2006, "Document Request No. 38 is granted," para. 8.).*
Monday, February 19, 2007 **(Pfizer)**	1) Marketing Custodial File 2) Regulatory Custodial File 3) Documents describing marketing and promotional databases to the extent they exist 4) Payments to "Key Opinion Leaders"/Advisory Panel participants regarding impulse control disorders 5) "All documents that relate or refer to any communications regarding the publication, proposed or actual of any research or data concerning Mirapex or other dopamine agonist." (Req. No. 38) (*See Order dated December 5, 2006, "Document Request No. 38 is granted," para. 8.).*
Thursday, February 22, 2007 **(BIPI)**	1) Payments to "Key Opinion Leaders"/Advisory Panel participants regarding impulse control disorders 2) Liability Insurance Policies 3) Additional FDA IND and NDA submissions, including submissions related to RLS NDA approval

Production Date	Production Includes
Monday, February 26, 2007	1) Regulatory/Safety Custodial Files
(Pfizer)	2) Sales Custodial File
	3) Medical Custodial File
	4) Documents responsive to Request Number 32 "to the extent that it requests all documents that relate or refer to any program or incidents in anyway associated with Mirapex in which Defendant or persons acting on its behalf provided payment, honorarium, grant, food entertainment or other incentive, directly or indirectly, to clinical trial researchers." (*See Order dated December 5, 2006, para. 5).*
	5) Early Development Documents to the extent they exist and are in Pfizer's possession (Requests Nos. 3-5)

Production Date	Production Includes
Wednesday, February 28, 2007 **(BIPI)**	1) Completion of BI/BICL production of documents: a. International Label Committee Agendas and Minutes b. Pre-NDA human and animal studies 2) BIPI, as part of its rolling productions set forth above and by no later than February 28, 2007, will produce (to the extent not already produced and in accordance with the parties' meet and confer agreements) the following categories of documents responsive to plaintiffs' First Request for Production of Documents as prioritized by plaintiffs' motion to compel heard on January 8, 2007: (a) Documents reflecting internal communications regarding reports of adverse reactions involving compulsive behavior, including in clinical trials (Request No. 9) (b) Documents reflecting or relating to internal communications about interactions with the FDA concerning Mirapex (Request Nos. 13, 14) (c) Documents reflecting communications to the medical profession about Mirapex and compulsivity (Request No. 17) (d) Documents regarding on-going compulsivity studies (Request Nos. 6, 8) (e) Early development documents responsive to the extent they exist and are in BIPI's possession (Request Nos. 3-5) (f) BIPI's sales and marketing documents (*See Defendants' Joint Memorandum of Law in Opposition to Motion to Compel, p. 21)* 3) Remaining documents responsive to plaintiffs' first request for the production of documents, in accordance with the parties' meet and confer agreements, including supplemental production of categories of documents previously produced.

Production Date	Production Includes
Wednesday, February 28, 2007 **(Pfizer)**	Pfizer, as part of its rolling productions set forth above and by no later than February 28, 2007, will produce (to the extent not already produced and in accordance with the parties' meet and confer agreements) the following categories of documents responsive to plaintiffs' First Request for Production of Documents as prioritized by plaintiffs' motion to compel heard on January 8, 2007: 1) Corporate organizational charts (Request No. 1) 2) Documents relating to Pfizer's "Gambling Task Force" (Request No. 37) 3) Documents relating to Pfizer's product safety and surveillance policies (Request No. 34) 4) Documents reflecting or relating to internal communications about interactions with the FDA concerning Mirapex (Request Nos. 13, 14) 5) Documents reflecting internal communications regarding reports of adverse reactions involving compulsive behavior, including in clinical trials (Request No. 9) 6) Documents regarding on-going compulsivity studies (Request Nos. 6, 8) 7) Documents reflecting communications to the medical profession about Mirapex and compulsivity (Request No. 17) Remaining documents responsive to plaintiffs' first request for the production of documents, in accordance with the parties' meet and confer agreements, including supplemental production of categories of documents previously produced.

The parties acknowledge their ongoing obligation under the federal rules to supplement their productions after February 28, 2007.