

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: FLUOROQUINOLONE PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2642 (JRT)

This Document Relates to All Actions

PRETRIAL ORDER NO. 11
SCIENCE DAY

On **January 17, 2017**, the Court will hold “Science Day” to provide the Court with an overview of the medical and scientific issues associated with the use of the fluoroquinolone medications Levaquin[®], Cipro[®], and Avelox[®] and peripheral neuropathy in an objective format without advocacy. Given the early stage of the litigation and discovery and to avoid duplication in presentation, the parties have agreed to the following ground rules to educate the Court on the basic issues in a non-adversarial manner and govern Science Day:

1. The parties have agreed that the topics to be discussed at Science Day include: a background on fluoroquinolone medications, including their uses and indications, risks and benefits, mechanism of action, and alternative treatments; and a background on peripheral neuropathy, including its diagnosis and treatment, risk factors and causes.
2. The Science Day presentations will be “off the record.” A transcript will be prepared by a court reporter, but will be accessible only to the Court; the transcript may not be ordered by, and will not be made available to,

the public or the parties. Presentations at Science Day are solely for the Court's benefit to gather informal knowledge and shall not be used to question or impeach any witness, and are not admissible for any purpose in the litigation.

3. The Parties shall provide the Court with copies of their presentations on or before **January 10, 2017**, but will not share the presentations with each other and will not file the presentations on the Court's docket.
4. Presentations shall be made by physicians and scientists. The presenters will not be sworn in, and will not be questioned by each other or opposing counsel. The Court will have the opportunity to ask questions of the experts as the Court deems appropriate.
5. The format will be lecture-style presentations that incorporate the use of PowerPoint presentations or other demonstrative visuals. The Parties will be allowed to lead their own experts through a modified direct format in order to focus the lecture presentation.
6. Each side shall have two (2) hours to present their experts. The schedule for Science Day shall be:
 - a. Plaintiffs will proceed on all topics from 10:00 am to 12:00 pm;
 - b. Lunch break: 12:00 pm – 1:30 pm;
 - c. Defendants will proceed on all topics from 1:30 pm to 3:30 pm;
 - d. Final questions from the Court – 3:30 pm to end.

DATED: October 26, 2016
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court