

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: LATEX GLOVE PRODUCTS : MDL DOCKET NO. 1148  
LIABILITY LITIGATION :  
: ALL CASES

CASE MANAGEMENT ORDER NO. 45  
REGARDING DISCOVERY RELATING TO OTHER LATEX-CONTAINING PRODUCTS

AND NOW, this 23rd day of March, 1999, upon conference and agreement of the parties, the following is ORDERED:

This Case Management Order relates to discovery in connection with other latex-containing products as follows:

1. The requests in the Rule 30(b)(6) Deposition Notices (the "Notices") previously served by plaintiffs on various defendants in MDL No. 1148 in many cases request information and documents generated in connection with both latex gloves and other latex-containing products.
2. The scope of all such requests included in the Notices is narrowed as follows:
  - a. In every instance in which the Notices request testimony and documents relating to latex gloves and all other latex-containing products, the Notices will be deemed to refer only to latex medical and clean room gloves.
  - b. The Notices will be deemed to include the following request, which shall not be subject to the restriction in Section 2.a. and regarding which defendants shall produce designated 30(b)(6) witnesses to provide limited deposition testimony and relevant documents:

All claims, complaints or instances  
of adverse allergic reactions to  
latex-containing products other than

in association with latex medical and clean room gloves, but only insofar as those claims, complaints or instances involve symptoms related to Type I latex hypersensitivity.

- c. The requests included in the Notices have also been narrowed in other respects both by agreement of the parties and by rulings of this Court. Those changes are not reflected in this Order, but have been set forth in Amended 30(b)(6) Notices, which include the changes described in Sections 2.a. and 2.b. of this Order.
3. At the merits depositions of plaintiffs, defendants may engage in reasonably limited inquiry regarding plaintiffs' use of and exposure to latex-containing products other than latex medical and clean room gloves and any adverse allergic reactions of plaintiffs thereto. Lengthy questioning of plaintiffs regarding their use of or exposure to multiple latex containing products is not permissible, and plaintiffs shall have the right to object to such questioning.

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Edmund V. Ludwig, J.