

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

<hr/>	:	MDL NO. 2342
IN RE: ZOLOFT (SERTRALINE	:	12-MD-2342
HYDROCHLORIDE) PRODUCTS	:	
LIABILITY LITIGATION	:	
<hr/>	:	HON. CYNTHIA M. RUFÉ
	:	
THIS DOCUMENT APPLIES TO:	:	
ALL ACTIONS	:	
<hr/>	:	

PRETRIAL ORDER NO. 49

AND NOW, this 27th day of February 2014, upon consideration of the application for fees and costs incurred by Special Discovery Master Andrew Chirls for the month of January 2014 (see attached), which was submitted both to the Court and Liaison Counsel pursuant to Pretrial Order No. 22, and finding that the work, fees and costs reflected thereon are “reasonably necessary” for the fulfillment of the Special Discovery Master’s duties, and without objection from counsel, it is hereby **ORDERED** that the application for fees and costs is **APPROVED** in full. Accordingly, the parties are responsible for payment of an equal half share of the same.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.



**FINEMAN
Krekstein
& Harris**

Dedicated to the Practice of Relationships

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ANDREW A. CHIRLS

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Please Reply to Philadelphia Office

February 6, 2014

The Honorable Cynthia M. Rufe
United States District Court, Eastern District of
Pennsylvania
James A. Byrne U.S. Courthouse
601 Market Street, Suite 12614
Philadelphia, PA 19106-1797

**RE: In re: Zoloft (Sertraline Hydrochloride) Products Liability Litigation,
MDL No. 2342**

Dear Judge Rufe:

Consistent with the compensation provisions of Pretrial Order No. 22 in the above-captioned matter, I am submitting a statement of counsel fees and costs recorded at my firm from January 1, 2014 through January 31, 2014. I am sending a copy to the attorneys who are to review and submit any comment as called for by Pretrial Order No. 22. I ask that the Court review the charges and approve or modify as it sees fit.

The statement refers to various plaintiffs in the Initial Discovery Pool by their initials ("plaintiff D" or "plaintiff K"). This is to preserve confidentiality.

Respectfully,

A handwritten signature in black ink, appearing to read 'A. Chirls', written over a horizontal line.

ANDREW A. CHIRLS

AAC/jgm
Enc.

cc: Mark S. Cheffo, Esquire (by email/.pdf)
Katherine Armstrong, esquire (by email/.pdf)

{00772414;v1}

FINEMAN KREKSTEIN & HARRIS, P.C.

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TIN 23-2176745

February 02, 2014

Parties in Zolof Multi-District Product
Liability on Litigation

Invoice # 60586
Client # 8864
Billing through 01/31/2014

Re: Special Discovery Master Matters
Our File No.: 8864/00001

PROFESSIONAL SERVICES

01/01/14	AAC	Brief review of recent submissions.	0.40 hrs
01/02/14	ECR	Review and analyze letter brief correspondence to A. Chirls submitted by PSC and Pfizer.	0.50 hrs
01/03/14	ECR	Review correspondence between A. Chirls, PSC and Pfizer regarding conference calls between Pfizer and individual firms representing plaintiffs in discovery pool cases.	0.20 hrs
01/03/14	ECR	Review correspondence between PSC and Pfizer regarding the scheduling of individual conference calls with firms that represent plaintiffs in discovery pool cases.	0.30 hrs
01/03/14	ECR	Preparation for and participation in conference call with Pfizer and PSC regarding five pending motions and subsequent individualized conference calls re: compliance with R&R 5.	0.70 hrs
01/03/14	ECR	Telephone conferences with attorneys for Crabtree and Byington plaintiffs regarding discovery subject of R&R 5.	0.80 hrs
01/03/14	AAC	Weekly call and preparation for weekly call (0.8); assist two meet and confer calls and prepare for same; discuss with E. Rosenberg (1.1); various scheduling issues for meets and confers and emails re: same (0.3).	2.20 hrs
01/04/14	AAC	Call and email from M. Robinson office.	0.20 hrs
01/06/14	ECR	Review email correspondence between A. Chirls and Pfizer regarding conference call between Pfizer and attorneys from RCRSD on Monday, January 6th.	0.30 hrs
01/06/14	ECR	Conference calls with lawyers for RCRSD and Pfizer.	1.40 hrs

01/06/14	ECR	Email correspondence with Pfizer and PSC regarding re-scheduling of meet and confer telephone conferences on Tuesday, January 7th.	0.20 hrs
01/06/14	AAC	Conference to reconcile and iron out disagreements about discovery taken of plaintiffs pursuant to Report & Recommendation 5 (three cases); prepare for next conferences; emails re: upcoming conferences.	1.20 hrs
01/07/14	ECR	Review email exchange between Pfizer and attorneys with for the purposes of scheduling conference call; determine schedule for subsequent conference calls.	0.30 hrs
01/07/14	ECR	Prepare for telephone conference with Pfizer and attorneys for individual plaintiff in discovery pool case; attend telephone conference and record notes.	0.80 hrs
01/07/14	ECR	Review proposed dates for conference calls with A. Chirls.	0.20 hrs
01/07/14	ECR	Review and analyze briefs submitted by Pfizer and PSC regarding removal of confidentiality designation from document.	1.40 hrs
01/07/14	ECR	Research and analysis of applicable case law on protective orders and confidentiality de-designations in the Third Circuit.	0.70 hrs
01/07/14	ECR	Draft and revise proposed Report and Recommendation No. 6 regarding the de-designation of emails.	0.50 hrs
01/07/14	AAC	Conference call re: compliance with Report & Recommendation 5 and Pre-Trial Order 40; prepare for next conferences and review correspondence re: same; discuss research on confidentiality motion with E. Rosenberg; begin review of custodial file production motion papers.	1.30 hrs
01/08/14	ECR	Review Pfizer's submission to Special Master Chirls regarding 30(b)(6) witnesses on the topics of sales and marketing research and review attached deposition transcripts submitted with letter-brief.	0.50 hrs
01/08/14	ECR	Prepare for and attend conference call with Special Master Chirls, Pfizer and counsel for individual Plaintiff regarding discovery.	0.40 hrs
01/08/14	ECR	Review email exchange regarding rescheduling of conference calls for two cases due to production of discovery documents before scheduled call.	0.20 hrs
01/08/14	ECR	Prepare for and attend conference call regarding discovery in individual case.	0.30 hrs
01/08/14	ECR	Confer with Special Master A. Chirls regarding proposed R&R No. 6, regarding confidentiality issues.	0.30 hrs
01/08/14	ECR	Attend conference call for 2 cases with attorneys from Pfizer and plaintiff.	0.40 hrs

01/08/14	ECR	Prepare for and attend conference call with attorneys from Pfizer and counsel for two Plaintiffs regarding discovery and compliance with R&R 5.	0.50 hrs
01/08/14	AAC	Review submissions on motion to compel custodial file production and to set dates for certain 30(b)(6) depositions; memo re: same; discuss confidentiality motion with E. Rosenberg; 5 conferences on plaintiffs' discovery compliance; review memo re: same; review letters from Reilly Pozner re: discovery compliance; brief call with court; discuss administration of motions and other submissions with E. Rosenberg.	3.70 hrs
01/09/14	ECR	Prepare for and attend conference call regarding discovery deficiencies in M v. Pfizer cases regarding supplemental R&R No. 5 information.	0.60 hrs
01/09/14	ECR	Draft and revise proposed R&R No. 6, regarding the de-designation of email produced by Pfizer.	2.90 hrs
01/09/14	AAC	Three conference calls re: Report and Recommendation 5 discovery; review new briefs.	2.70 hrs
01/10/14	AAC	Order from court; brief emails re: conferences and scheduling; review short brief.	0.70 hrs
01/12/14	AAC	Read various briefs and submissions.	1.00 hrs
01/13/14	ECR	Review and analyze motion submitted by PSC regarding amendment of trial pool selection process; review and analyze PSC reply brief to A. Chirls regarding 30(b)(6) witnesses.	0.50 hrs
01/13/14	ECR	Review and analyze correspondence from PSC regarding issues to be discussed during 1/14/2014 conference call.	0.40 hrs
01/13/14	ECR	Draft and revise proposed R&R No. 6 regarding the de-designation of confidential email documents.	4.00 hrs
01/13/14	AAC	Correspondence and discussions with parties.	0.30 hrs
01/14/14	ECR	Review email from Jonathan Tam, counsel for Pfizer, regarding discovery in three cases, as requested by Special Master Chirls.	0.10 hrs
01/14/14	ECR	Conference call with PSC and Pfizer regarding custodial files and deposing 30(b)(6) witnesses.	1.20 hrs
01/14/14	ECR	Review Judge Rufe's order regarding the trial pool selection and relevant briefs; draft email correspondence to and have follow-up conversation with Special Master A. Chirls regarding the recent conference call during which the PSC and Pfizer discussed the case selection process.	0.50 hrs
01/14/14	ECR	Draft and revise proposed R&R No. 6, discussing and ruling on the parties' arguments that documents should be designated as confidential under Rule 26(c).	4.80 hrs

01/14/14	ECR	Review correspondence between Pfizer and Special Master Chirls regarding document production in D and K cases and relating to the scheduling of a potential conference call with counsel representing the plaintiffs in those cases.	0.20 hrs
01/14/14	AAC	Prepare for call; call with parties; agenda; read recent submissions emails following up on defense motion to compel compliance with Report and Recommendation 5 and Pre-Trial Order 40; call with court; preparation for conference of 1/17.	2.90 hrs
01/15/14	ECR	Review and analyze correspondence from Jonathan Tam, counsel for Pfizer, regarding the scheduling of a conference call to discuss discovery deficiencies in D and K cases and read outline of outstanding issues that the parties will resolve by Thursday, January 16th.	0.20 hrs
01/15/14	ECR	Conference with Special Master A. Chirls regarding initial thoughts on draft of R&R No. 6, addressing confidentiality issues and provide him with case law cited and relied upon in the draft.	0.30 hrs
01/15/14	ECR	Review letter-brief from Pfizer regarding the confidentiality of disputed documents that PSC seeks to de-designate as confidential.	0.20 hrs
01/15/14	AAC	Review and discuss draft of Report and Recommendation re: confidentiality of Pfizer emails; correspondence re: motion to compel plaintiffs to provide discovery.	0.50 hrs
01/16/14	AAC	Prepare for conference; review reply brief on confidentiality of Pfizer email; emails with E. Rosenberg re: same; discussions with parties re: pending requests for relief including requests for 30(b)(6) depositions and change to case selection methods; review materials re: motion re: MRC.	2.90 hrs
01/17/14	ECR	Draft email to Special Master Chirls regarding a briefing deadline on the issue of confidentiality; review emails from the parties to that effect.	0.20 hrs
01/17/14	AAC	Conference, preparation and transportation re: same (3.0); follow up to conference (0.3); research confidentiality and review pending requests for relief for drafting.	5.00 hrs
01/20/14	AAC	Opinion on 30(b)(6) deposition timing (1.8); review cases and briefs on confidentiality of Pfizer evaluative email (1.5).	3.50 hrs
01/21/14	AAC	Discuss research with E. Rosenberg; brief review of confidentiality filing; brief review of filings re: MCR; brief review of draft order re: A; email re: production of custodial files.	0.70 hrs
01/22/14	ECR	Review and analyze letter brief by PSC regarding the confidentiality of email document.	0.30 hrs
01/22/14	AAC	Emails re: 30(b)(6) depositions.	0.20 hrs

01/23/14	ECR	Review correspondence between Special Master Chirls, Pfizer and PSC regarding 30(b)(6) custodial depositions that are scheduled to take place in early February.	0.30 hrs		
01/23/14	AAC	Prepared agenda for weekly call; review Order in A.	0.80 hrs		
01/24/14	AAC	Scheduling issues; discuss A Order with J. Tam.	0.30 hrs		
01/27/14	ECR	Review documents submitted by Pfizer and PSC in anticipation of conference call on Monday, January 27th; attend conference call with the parties and record minutes of the discussion.	0.60 hrs		
01/27/14	AAC	Review materials related to two pending motions; prepare for conference call; weekly conference call.	1.00 hrs		
01/29/14	AAC	Call with J. Tam, Pfizer counsel; review PTO 44.	0.30 hrs		
01/30/14	AAC	Motion from PSC regarding additional presumptive discovery, follow-up inquiry.	0.30 hrs		
		Chirls, Andrew	32.10 hrs	525.00 \hr	\$16,852.50
		Rosenberg, Eric C	28.20 hrs	195.00 \hr	\$5,499.00
		Total fees for this matter	60.30 hrs		<u>\$22,351.50</u>

Billing Summary

Total Professional Services	\$22,351.50
Total of new charges for this invoice	<u>\$22,351.50</u>
Total Balance Now Due	<u>\$22,351.50</u>