

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

IN RE: :
: :
PHARMACY BENEFIT MANAGERS :
ANTITRUST LITIGATION : 06-md-01782-JF-ALL
: :
(This document applies to :
C.A. Nos.: 03-4730, 03-4731, :
06-4112, 06-4114, 06-4115, :
and 06-4305) :

MEMORANDUM AND ORDER

Fullam, Sr. J.

February 21, 2007

In these MDL cases, the court is confronted with various class-certification issues. In the North Jackson Pharmacy, Inc. cases, a class has been certified, and the defendants seek decertification. I have concluded (1) that the certification order does not fully comply with the requirements of Fed. R. Civ. P. 23(c)(1)(B), since the order does not "define the class and the class claims, issues, or defenses"; (2) that the other applications for a class certification do not provide enough information to enable compliance with that provision; and (3) that further information would be helpful in reaching a correct decision as to class certifications. IT IS THEREFORE ORDERED:

1. That plaintiffs' counsel shall, in each of the MDL cases, file a proposed class-certification order which fully complies with Fed. R. Civ. P. 23(c)(1)(B).

2. Plaintiffs' counsel shall specify classes and/or subclasses, as appropriate, and the antitrust injury allegedly suffered by each such class or subclass.

3. Plaintiffs' counsel are directed to comply with the foregoing within 30 days. Defense counsel shall have a further period of 30 days in which to respond, if considered necessary. Counsel on all sides are urged not to engage in unnecessary repetition of arguments previously on record.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.