

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

**IN RE: AVANDIA MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION** :
: **MDL No. 1871**
: **07-md-01871**

THIS DOCUMENT APPLIES TO:

**Judy Busby et al. v. SmithKline Beecham Corporation
d/b/a GlaxoSmithKline** : **2:09-cv-03286-CMR**

**Robert Simpson et al. v. SmithKline Beecham
Corporation d/b/a GlaxoSmithKline** : **2:09-cv-03287-CMR**

**Ronald Chamberlain et al. v. SmithKline Beecham
Corporation d/b/a GlaxoSmithKline** : **2:09-cv-03288-CMR**

**Fay Hines et al. v. SmithKline Beecham Corporation
d/b/a GlaxoSmithKline** : **2:09-cv-03319-CMR**

**PRETRIAL ORDER 72
(SEVERANCE)**

AND NOW, this 2nd day of September, 2009, it is hereby ORDERED as follows:

1. Except for the first-named plaintiff (and his or her derivative claimants, if any), every other plaintiff (and his or her derivative claimants, if any) in each of the following actions is hereby severed pursuant to Fed.R.Civ.P. 21:

- Judy Busby, et al. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline, 2:09-cv-03286-CMR
- Robert Simpson et al. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline, 2:09-cv-03287-CMR
- Ronald Chamberlain et al. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline, 2:09-cv-03288-CMR
- Fay Hines et al. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline, 2:09-cv-03319-CMR

2. Pursuant to PTO 4, each severed plaintiff may file a complaint in the Eastern District of Pennsylvania, or in another district with proper venue, within thirty (30) days of the date of this Order or seek a Tolling Agreement consistent with the provisions set forth in Pretrial Order No. 7.

3. For purposes of the applicable limitations period, any action filed by a severed plaintiff within thirty (30) days of the date of this Order (or granted tolling pursuant to a Tolling Agreement) will be deemed to have been filed on the date the original multi-plaintiff complaint from which the plaintiff was severed was filed.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.