

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
: Index No. 560001/2005  
:   
: IN RE: NEW YORK BEXTRA AND CELEBREX : CASE MANAGEMENT  
: PRODUCT LIABILITY LITIGATION : ORDER NO. 9  
:   
:   
: -----X  
THIS DOCUMENT APPLIES TO ALL CASES :  
-----X

**Format Of Pfizer Entities' Document Production**

**I. Scope Of Order**

1. Order Applicable To All Product Liability Plaintiffs In The New York Coordinated Bextra And Celebrex Proceeding. This Order shall apply to all plaintiffs who allegedly suffered personal injury from taking Bextra and/or Celebrex in cases currently pending in the Supreme Court of the State of New York, County of New York, and to all related product liability actions that have been or will be originally filed in, or transferred to, this Court and assigned thereto (collectively, the "Coordinated Proceeding"). This Order is binding on all parties and their counsel in all product liability cases currently pending or subsequently made part of these proceedings. The following document production protocol shall apply to the production of documents existing in hard-copy form and, as limited by paragraph 14 below, documents existing in electronic form by Defendants Pfizer Inc., Pharmacia & Upjohn Co., Monsanto Co., Pharmacia & Upjohn LLC, Pharmacia Corporation, and G.D. Searle LLC (formerly known as G.D. Searle & Co.), together with their affiliated entities (collectively "the Pfizer Entities").

**II. General Format Of Production**

2. Except as limited by paragraph 14 below, all documents that originally existed in either hard-copy or native electronic form that are produced in these proceedings shall be produced in electronic image form in the manner provided herein. Each document's electronic image shall convey the same information and image as the original document. Documents that

present imaging or formatting problems shall be promptly identified and the parties shall meet and confer to attempt to resolve the problems.

3. Document Image Format. All production document images will be provided as single-page "TIFFs" utilizing Group 4 compression. All images generated from hard copy documents shall be scanned at industry standard resolution and reflect, without visual degradation, the full and complete information contained on the original document. All images generated from native electronic documents will reflect how the source document would have appeared if printed out to a printer attached to a computer. The Pfizer Entities shall produce a "load file" to accompany the images, which load file shall include information about where each document begins and ends to facilitate the use of the produced images through a document management or litigation support database system. The parties shall meet and confer to the extent reasonably necessary to facilitate the import and use of the produced materials with commercially available document management or litigation support software such as Summation or Concordance. An example of a Summation load file with document break information is:

; Record 1

@C ENDDOC# 032748

@T 032748

@D @I\CARR005\001\

032748.tif

; Record 2

@C ENDDOC# 032763

@T 032749

@D @I\CARR005\001\

0327{49-63}.tif

4. Document Unitization. Each page of a document shall be scanned or electronically saved into an image. If a document is more than one page, the unitization of the document and any attachments and/or affixed notes shall be maintained as it existed in the original when creating the image file.

5. Color. For documents that contain color, the Pfizer Entities shall honor reasonable and specific requests for the production of color image(s) of such documents.

6. Duplicates. Where a single document custodian has more than one identical copy of a document (i.e., the documents are visually the same and contain the same electronic text and coding), the Pfizer Entities need only produce a single copy of that document. Where multiple document custodians each possess their own copies of an identical document, the document shall be produced once for each custodian in possession of the document. De-duplicated originals shall be securely retained and made available for inspection and copying in accordance with the provisions of paragraph 13.

7. Bates Numbering. Each page of a produced document shall have a legible, unique page identifier (“Bates Number”) electronically “burned” onto the image at a location that does not obliterate, conceal, or interfere with any information from the source document. No other legend or stamp will be placed on the document image other than a confidentiality legend (where applicable), redactions (consistent with applicable law or Court order), and the Bates Number identified above. The confidential legend shall be “burned” onto the document’s image at a location that does not obliterate or obscure any information from the source document.

8. File Naming Conventions. Each page image file shall be named with the unique Bates Number of the page of the document in the case of single-page TIFFs, followed by the extension “.TIF.” In the event the Bates Number contains a symbol and/or character that cannot be included in a file name, the symbol and/or character will be omitted from the file name.

commercially available document management or litigation support software such as Summation or Concordance. Objective Coding shall be labeled and produced on Production Media in accordance with the provisions of paragraph 9. If Plaintiffs have problems importing and using the Objective Coding for document management, Plaintiffs and Defendants shall meet and confer to attempt to resolve the problems. If the Pfizer Entities choose to objectively code certain documents after the production of such documents, the Pfizer Entities shall provide the Objective Coding to the PSC as soon as it is available to the Pfizer Entities. Nothing in this paragraph shall require the Pfizer Entities to incur any rush charges in completing Objective Coding, if any.

11. OCR/Extracted Text. The Pfizer Entities shall produce corresponding Optical Character Recognition (OCR) text files for all hard-copy documents and any electronic documents that require redaction prior to production. For documents that exist natively in electronic format that have not been redacted and that are produced as images, the Pfizer Entities shall produce extracted text files reflecting the full text that has been electronically extracted from the original, native electronic files. The OCR/extracted text shall be provided in ASCII text format and shall be labeled and produced on Production Media in accordance with the provisions of paragraph 9. The text files will be associated with the unique Bates Number of the first page of the corresponding document followed by the extension “.txt.” The OCR/extracted text files shall be provided in a manner suitable for importing the information in commercially available document management or litigation support software such as Summation or Concordance.

12. Format For Production. The format of document images and objective coding described in paragraphs 3 and 10 above, and the OCR/extracted text files described in paragraph 11, shall conform with the requirements of the commercially available document management or litigation support software the requesting party intends to use. The parties shall confirm this with each other in advance of the processing.

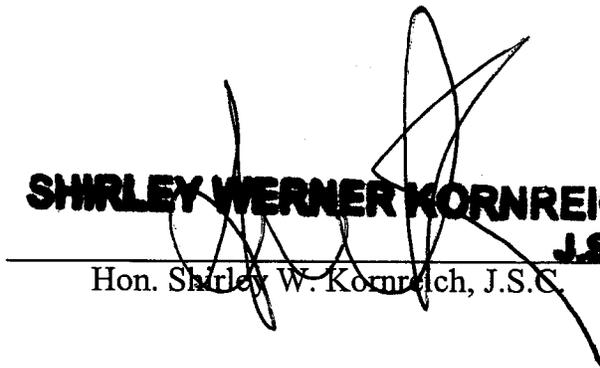
13. Original Documents. The Pfizer Entities shall, upon reasonable request, make originals of any produced document available for inspection and copying by the requesting party, subject to any redactions made pursuant to Case Management Order No. 3.

14. Production Of Other Electronic Documents. This Order only applies to the production of emails (and any associated attachments), word processing documents, spreadsheets, presentations, and imaged documents (in any format). The parties shall meet and confer to agree on the form of any production of electronic documents other than the foregoing.

15. Use Of Documents. When documents produced in accordance with this Order are used in the Coordinated Proceeding herein, including depositions, hearings, or trial, the image copy of documents as described in Paragraphs 3 and 7 herein shall be the copy used. OCR or extracted text shall not be used in the Coordinated Proceeding as a substitute for the image of any document.

SO ORDERED.

Dated: *June* ~~May~~ 15 2006

  
**SHIRLEY WERNER KORNEICHI**  
**J.S.C.**  
Hon. Shirley W. Kornreich, J.S.C.

7993264

**FILED**  
JUN 21 2006  
COUNTY CLERK'S OFFICE  
NEW YORK