



STATE OF NEW YORK
UNIFIED COURT SYSTEM
FIRST JUDICIAL DISTRICT
SUPREME COURT, CIVIL BRANCH
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NEW YORK, NY 10007-1474
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A. GAIL PRUDENTI
Chief Administrative Judge

FERN A. FISHER
Deputy Chief Administrative Judge
New York City Courts

HON. PETER H. MOULTON
Administrative Judge for Civil Matters
First Judicial District

ADMINISTRATIVE ORDER

The staff of the court has noted that there are eight actions pending in this court that present similar claims against the same defendants. In these actions, the plaintiffs assert claims based on strict liability, negligence and other theories with respect to the drug Abilify. The complaints allege that the drug has been used to treat various psychological conditions in children, including depression, that adequate notice of its capacity to cause diabetes in children was not provided, and that the drug has caused that disease to arise in the plaintiffs. The eight cases are identified on the attached Appendix. It appears possible that other similar actions may be commenced in this court in the future. These actions are hereinafter referred to as “Abilify actions.”

All of the eight pending Abilify actions described above, which are listed on the attached Appendix, are at present assigned to Hon. Carol Edmead (Part 35). The initial such assignment occurred randomly and the subsequent actions were assigned as related matters, designations for which had been made on the Requests for Judicial Intervention.

Multiple related tort actions pending in this court that assert defects in, or inadequate warnings regarding the effects of use of, pharmaceuticals often present a litigation context of sufficient complexity as to justify the assignment of the actions to one Justice of the court in the Center for Complex Litigation. Justice Edmead has not yet had occasion to become deeply involved in the merits of these cases. By the authority vested in me as Administrative Judge of this court, I hereby designate the Honorable Arlene P. Bluth as a Justice of the Center for Complex Litigation for the purpose of presiding over the Abilify actions. Further, I hereby direct the Clerk of the Trial Support Office to reassign the actions identified on the Appendix to Justice Bluth in Part 22 and to cause any motions in those actions that are now pending to be so reassigned as well.

In the event that any Abilify action not listed on the Appendix is pending in this court, the Clerk shall reassign that action to Justice Bluth in Part 22 or assign it to her upon the filing of a Request for Judicial Intervention if no RJI has yet been filed. Further, the Clerk is directed to assign to Justice Bluth in Part 22 any other Abilify action that may be commenced in this court hereafter.

Counsel filing an RJI in an Abilify action after this date shall annex thereto a copy of this Administrative Order.

In addition to the matters covered by this Order, the previous assignment of Justice Bluth shall continue.

Information on cases in Supreme Court, Civil Branch, New York County is available in the *Supreme Court Records On-Line Library (Scroll)*, which is accessible at no charge on the website of the Supreme Court, Civil Branch, New York County at the “Case Information” link at the following address:

www.nycourts.gov/supctmanh

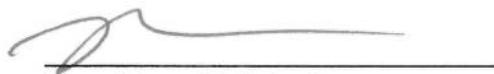
In prior years, the court provided notification by mail of certain appearances, but ceased to do so in summer 2012. Instead, counsel should sign up for the court system’s *E-Track* service, which provides notification by e-mail of all appearances recorded in the court’s electronic case history program, as well as other developments recorded therein, such as the issuance of decisions and long-form orders. *E-Track* allows counsel to list with the service some or all of the firm’s cases that are pending in the Supreme Court, Civil Branch, New York County, and in other counties as well, which will permit counsel to receive e-mail notification regarding all developments in those cases. *E-Track* can also provide appearance reminders should counsel wish to avail themselves of that capability. To sign up for *E-Track*, counsel should go to the following address:

<http://iapps.courts.state.ny.us/webcivil/etrackLogin>

There is no charge for the *E-Track* service.

Case management and other orders in mass tort actions are accessible on the website of this court at the first address listed above.

Dated: April 15, 2015



Hon. Peter H. Moulton
Administrative Judge

APPENDIX

Thomas v. Bristol-Myers Squibb Co., Index No. 152468/2015

Rogers-Gatlin v. Bristol-Myers Squibb Co., Index No. 152534/2015

Confer v. Bristol-Myers Squibb Co., Index No. 158295/2014

Marshall v. Bristol-Myers Squibb Co., Index No. 158631/2014

Pouncey-Terry v. Bristol-Myers Squibb Co., Index No. 159640/2014

Bucinkas v. Bristol-Myers Squibb Co., Index No. 159641/2014

Woissol v. Bristol-Myers Squibb Co., Index No. 161229/2014

Edelen v. Bristol-Myers Squibb Co., Index No. 162177/2014