

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

**IN RE:  
ACCUTANE PRODUCTS  
LIABILITY LITIGATION,**

**Case No. 8:04-md-2523-T-30TBM**

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**CHRISTOPHER M. PERRONNE,  
Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,  
Defendants.**

**Case No. 8:04-cv-2766-T-30TBM**

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**LAUREN E. ST. PIERRE,  
Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,  
Defendants.**

**Case No. 8:04-cv-2767-T-30TBM**

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**EILEEN BARIL,  
Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,  
Defendants.**

**Case No. 8:04-cv-2768-T-30TBM**

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**KENNETH S. PALMER,  
Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,  
Defendants.**

**Case No. 8:04-cv-2769-T-30TBM**

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**CAROL ANN NEWMAN,  
Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,  
Defendants.**

**Case No. 8:05-cv-1562-T-30TBM**

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**CHERYL T. JOACHIM,  
Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,  
Defendants.**

**Case No. 8:05-cv-317-T-30TBM**

**JASON MOSLEY,**  
**Plaintiff,**

v.  
**HOFFMANN-LA ROCHE, INC., et al.,**  
**Defendants.**

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**Case No. 8:05-cv-1526-T-30TBM**

**ORDER**

THIS MATTER is before the court on the following motions:

- (1) **Defendants' Expedited Motion to Compel Plaintiff Christopher Perronne's Fact Sheet** (Doc. 7) and Plaintiff's response;<sup>1</sup>
- (2) **Defendants' Expedited Motion to Compel Plaintiff Lauren St. Pierre's Fact Sheet** (Doc. 7) and Plaintiff's response;
- (3) **Defendants' Expedited Motion to Compel Plaintiff Eileen Baril's Fact Sheet** (Doc. 12) and Plaintiff's response;
- (4) **Defendants' Expedited Motion to Compel Plaintiff Kenneth Palmer's Fact Sheet** (Doc. 7) and Plaintiff's response;
- (5) **Defendants' Expedited Motion to Compel Plaintiff Carol Ann Newman's Fact Sheet** (Doc. 3) and Plaintiff's response;
- (6) **Defendants' Expedited Motion to Compel Plaintiff Cheryl Joachim's Fact Sheet** (Doc. 9) and Plaintiff's response (Doc. 12); and
- (7) **Defendants' Expedited Motion to Compel Plaintiff Jason Mosley's Fact Sheet** (Doc. 7) and Plaintiff's response (Doc. 10).

A hearing on these and other matters was conducted on April 20, 2006.

By their motions, Defendants seek an Order compelling each of the named Plaintiffs to provide a completed Plaintiff Fact Sheet and Authorization for Release of Medical Records ("Fact Sheet"). By the Defendants allegations, each of these Plaintiffs is overdue in providing these agreed upon documents. Counsel for the Plaintiffs don not oppose the motion but seek additional time to produce each of the fact sheets.

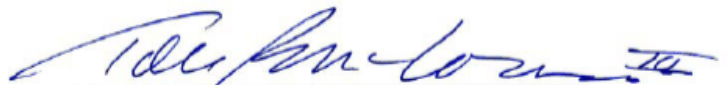
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<sup>1</sup>The Plaintiff's responses in Perronne, St. Pierre, Baril, Palmer, and Newman were filed in the main MDL case, In re Accutane Products Liability Litigation, Case No. 8:04-md-2523-T30TBM. See (Doc. 267).

Five of the named Plaintiffs, Baril, Perrone, St. Pierre, Palmer, and Newman, are Louisiana residents and represented by Louisiana counsel Van Robichaux, Esquire. The delay in providing their Fact Sheets is attributed to the devastation each suffered as a result of Hurricane Katrina in 2005. Mr. Robichaux advises that each of these Plaintiffs are presently working on completing the Fact Sheets and he hopes to provide them in the near future. In the case of Plaintiff Joachim, her counsel advises that she is a former resident of Biloxi, Mississippi, another area hard hit by Hurricane Katrina. He has been unable to establish contact with his client, and as a result, is unable to comply with the requirements for the service of the Fact Sheet. He specifically requests an additional forty-five days within which to file the Fact Sheet. As for Plaintiff Moseley, it appears that he has already partially complied with the Fact Sheet requirements and is seeking to complete that production as soon as possible. While counsel for the Defendants are sympathetic to the Plaintiffs' circumstances, their concern for the discovery cut-off in these cases prompts them to seek an Order compelling prompt production of the Fact Sheets.

Upon consideration, each of the motions is **GRANTED**. The respective Plaintiffs and counsel shall use their best efforts to complete the Fact Sheet in all its particulars within thirty (30) days from the date of this Order or certify in writing why they are unable to do so. The Defendants' concern about the close of discovery will be addressed by separate order.

**Done and Ordered** in Tampa, Florida, this 28th day of April 2006.



THOMAS B. McCOUN III  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
United States District Judge  
Counsel of Record