

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE: DEPUY ORTHOPAEDICS,	§	
INC. PINNACLE HIP IMPLANT	§	MDL Docket No.
PRODUCTS LIABILITY	§	
LITIGATION	§	3:11-MD-2244-K
	§	
-----	§	
This Document Relates to all Cases	§	
-----	§	

ORDER REGARDING DEPOSITIONS

It is anticipated that the depositions taken in this Multidistrict Litigation will be used in cases filed in various federal and state courts. In fact, the Court is advised that depositions already underway are being cross-noticed in cases filed in various state courts. The Court enters this Order to communicate its expectations to counsel and resolve differences in the applicable rules and codes in various jurisdictions where the depositions may subsequently be used.

Objections

Objections to questions during the oral deposition are limited to “Objection, leading” and “Objection, form.” Objections to testimony during the oral deposition are limited to “Objection, nonresponsive.” These objections are waived if not stated as phrased during the oral deposition. All other objections need not be made or recorded during the oral deposition to be later raised with the applicable court according to its rules. The objecting party must give a clear and concise explanation of an objection if

requested by the party taking the oral deposition, or the objection is waived.

Instructions Not to Answer

Unless permitted by Federal Rule of Civil Procedure 30(c)(2) a party may not instruct a deponent not to answer a question.

Enforcement by the Special Master

The Special Master shall have the power to regulate the conduct of the depositions, rule on all objections and assertions of privilege that may arise during the depositions, and rule upon any motion to terminate or limit a deposition. All rulings made by the Special Master shall be final for the purpose of the depositions. The Special Master's record and review of his rulings shall be governed by this Court's Order Appointing Special Master [Dkt. No. 81].

SO ORDERED.

Signed March 4, 2013.



ED KINKEADE
UNITED STATES DISTRICT JUDGE