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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

IN RE: INCRETIN-BASED
THERAPIES PRODUCTS LIABILITY
LITIGATION

Case No. 13-md-2452-AJB-MDD
As to all related and member cases
**ORDER REGARDING ESI SEARCH
TERMS**

This Order amends this Court’s Order Governing The Production of Electronically Stored Information (“ESI”), entered on November 15, 2013 (Doc. 187), to incorporate the ESI search terms agreed to by the parties. Merck’s search terms are attached hereto as Exhibit A. Novo’s search terms are attached hereto as Exhibit B. The parties may agree to modify these search terms should such modifications appear necessary upon further review of custodial files.

IT IS SO ORDERED.

DATED: March 17, 2014

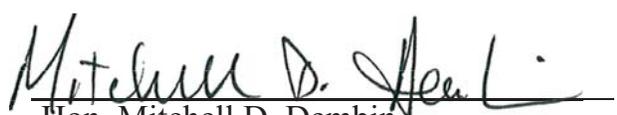

Hon. Mitchell D. Dembin
U.S. Magistrate Judge

Exhibit A
Merck ESI Search Terms

Qualifiers

Januvia OR Janumet OR JanumetXR OR Juvisync OR sitagliptin OR "sitagliptin/metformin" OR "MK0431" OR "MK 0431" OR "MK0431A" OR "MK 0431A" OR "L000224715"

"21995" OR "21 995" OR "21-995" OR "21,995" OR "021995" OR "021 995" OR "021-995" OR "021,995" OR "N21995" OR "N21 995" OR "N21-995" OR "N21,995" OR "N021995" OR "N021 995" OR "N021-995" OR "N021,995" OR "NDA21995" OR "NDA21 995" OR "NDA21-995" OR "NDA21,995" OR "NDA021995" OR "NDA021 995" OR "NDA021-995" OR "NDA021,995" OR "65495" OR "65 495" OR "65-495" OR "65,495" OR "065495" OR "065 495" OR "065-495" OR "065,495" OR "I65495" OR "I65 495" OR "I65-495" OR "I65,495" OR "I065495" OR "I065 495" OR "I065-495" OR "I065,495" OR "IND65495" OR "IND65 495" OR "IND65-495" OR "IND65,495" OR "IND065495" OR "IND065 495" OR "IND065-495" OR "IND065,495"

"22044" OR "22 044" OR "22-044" OR "22,044" OR "022044" OR "022 044" OR "022-044" OR "022,044" OR "N22044" OR "N22 044" OR "N22-044" OR "N22,044" OR "N022044" OR "N022 044" OR "N022-044" OR "N022,044" OR "NDA22044" OR "NDA22 044" OR "NDA22-044" OR "NDA22,044" OR "NDA022044" OR "NDA022 044" OR "NDA022-044" OR "NDA022,044" OR "70934" OR "70 934" OR "70-934" OR "70,934" OR "070934" OR "070 934" OR "070-934" OR "070,934" OR "I70934" OR "I70 934" OR "I70-934" OR "I70,934" OR "I070934" OR "I070 934" OR "I070-934" OR "I070,934" OR "IND70934" OR "IND70 934" OR "IND70-934" OR "IND70,934" OR "IND070934" OR "IND070 934" OR "IND070-934" OR "IND070,934"

"202270" OR "202 270" OR "202-270" OR "202270" OR "N202270" OR "N202 270" OR "N202-270" OR "N202,270" OR "NDA202270" OR "NDA202 270" OR "NDA202-270" OR "NDA202,270" OR "101964" OR "101 964" OR "101-964" OR "101964" OR "I101964" OR "I101 964" OR "I101-964" OR "I101,964" OR "IND101964" OR "IND101 964" OR "IND101-964" OR "IND101,964"

"202343" OR "202 343" OR "202-343" OR "202343" OR "N202343" OR "N202 343" OR "N202-343" OR "N202,343" OR "NDA202343" OR "NDA202 343" OR "NDA202-343" OR "NDA202,343" OR "103183" OR "103 183" OR "103-183" OR "103,183" OR "I103183" OR "I103 183" OR "I103-183" OR "I103,183" OR "IND103183" OR "IND103 183" OR "IND103-183" OR "IND103,183"

Search Terms

acinar* or protease

Actos

ADA

Adenom*

(adverse pre/1 event*) or (serious pre/1 event*) or (adverse pre/1 reaction*)

(advertisement* or ad or ads) /5 (consumer* or DTC or DTP or HCP)

AER or AERs or AE or AEs or SAE or SAEs or OAERS or FAERS or FDAAERS

AkdA

Alexandra /2 Butler

aloglipti*

"alpha glucosidase"

amylase

anaphylaxis or anaphylactic

Animal

antidiabetic

apoptosis

Avandia

Bayesian

Belinda /2 Gier

Belinda /2 Schulda

benefit* /5 risk*
"beta cell" or "c cell"
biliary
"Bonner-Weir"
"Butler et al"
Butler w/100 (ductal)
Bydureon /100 (CEA OR MCN OR thyroid)
bydureon*
*bydureon
*byetta
byetta*
"c cell" or "c-cell"
"ca 19-9"
CAC or "Carcinogenicity Assessment Committee"
campaign* /5 (consumer* or DTC or DTP or HCP)
Cancer*
Carci*
Carpenter
case /3 (report* or assessment*)
CEA /100 pancr*
"cfr 314"
commercial* /5 (consumer* or DTC or DTP or HCP)
committee /3 (advisory or steering or assessment or bioethics or "ae-pc" or surveillance or chmp or endpoint or data* or executive or ethics or event* or adjudication or ethics or oversight or pancreatitis or physician or plan* or research or safety or policy or label* or quality)
(complaint pre/1 investigat*) or (complaint pre/1 coordinator*)
complaint pre/1 team*
ct /5 (scan* OR imag* OR show*)
"data safety monitoring board"
data* /2 (surveillance or ukpds or trial or claims or covariate or core or laboratory or spontaneous or lipase or agonist or safety)
data* /5 (nonclinical or "non-clinical")
data* /5 (preclinical or "pre-clinical")
DDMAC or OPDP
"dear doctor" or "dear dr" or "dear healthcare" or DHCP
Diabetes
Diabeti*
"dipeptidyl peptidase"
Disproportionality
"Division of Diabetes, Endocrinology, and Metabolic Diseases" or "DEM"
"DNN"
"DP-IV"
"DPP-4" or "DPPIV" or "DPP4" or "DPP-IV" or "DDP IV" or "DPP IV's" or "DPP 4" or "DPP 4's"
Drucker
"drug safety monitoring" or dsmb
ductal /2 (cell or obstruction or turnover or replication)
ductal /5 bil*

EBGM* or "eb05" or EGBM
Elashoff
EMEA
endocrine
epidemiological /2 (data* or analysis)
ERCP
exenatid*
exocrine
expert* /3 (panel* or speaker* or report* or consultant* or roundtable or committee or preclinical or safety or internal or external)
FDA*
Gale
Galvus
Genotox*
Gier
glipti*
gliptin*
glitaz*
"GLP-1" or "GLP1" or "GLP 1" or "GLP I"
glucago*
group /3 (safety or study or complaint or data* or biometric* or treatment or research or evaluation or endpoint or outcome* or protocol or advisory or statistics or trial or writing or quality)
("Health Hazard" pre/1 Evaluation*) or hhe*
(hypersensitivity pre/1 reaction*)
hypoglycemi*
IIT or "Investigator Initiated Trial"
(incidence pre/1 rate*)
increti*
intraductal OR (intra /1 ductal)
IPMN
IPMN
Janumet /100 (CEA OR MCN OR thyroid)
Januvia /100 (CEA OR MCN OR thyroid)
jaundic*
Jentadueto
Kahn
Kazano
(key pre/1 messag*)
kol or kols or champion* or (opinion pre/1 leader*) or (thought pre/1 leader*)
Kombiglyze
label* /15 ("black box" or "blackbox" or warn*)
label* /5 (chang* or extension* or update*)
"lactic acidosis"
Lesion
("level 3" pre/1 complaint*)
linaglipti*

Lipase
lira*
(literature or brochure*) /5 (consumer* or DTC or DTP or HCP)
Malig*
(marketing pre/1 report*)
Matteo /2 Monami
matvey*
Mechanistic
medullary
"meta analysis" or "meta-analysis"
Metaplasia*
metaplastic
Metast*
mfr /3 (report or number or labeler)
MGPS or "Mult-item Gamma Poisson Shrinker"
Michael /2 Nauck
mid* /2 epigastric
mimeti*
monitor* /3 (safety or event* or guideline*)
monkey OR primate* or monkie* or monke*
mouse OR mice
MSD
MSDC
Murine
"National Cancer Institute" or "NCI"
"National Institute of Diabetes and Digestive and Kidney Diseases"
"National Institute of Health" or "NIH"
Neopl*
Nesina
"Network for Pancreatic donors with Diabetes" or "NPOD"
NIDDK
(nonclinical pre/1 tox*)
Onglyza
Oseni
panc*
"Pancreatic Cancer Action Network" or "PCAN"
PanIN
pdg
"Peptide-1" or "Peptide 1" or peptidase
(periodic pre/1 report*) or pmr or psur*
Peter /2 Butler
Pioglitazone
*plasia
plasma /3 (concentrat* or glucose)
"post marketing" or "post-marketing" or "post market"
"postmarketing safety"

postprandial /3 (glucose or plasma)
"pre-cancerous" or precancerous
(preclinical pre/1 tox*)
(press pre/1 release*)
"product complaint" /5 ((evaluation pre/1 group*) or (sub pre/1 team*))
"product safety committee"
prolifer*
prolifer* /10 (duct* OR cell*)
PRR or aPRR or "Proportional Reporting Ratio"
"quality assurance" or QA or "quality control" or QC or SOP or SOPs
rat OR rats
(receptor pre/1 agonist*)
regulatory /10 (fda or report* or contact*)
REMS
result* /5 (nonclinical or "non-clinical")
result* /5 (preclinical or "pre-clinical")
"Risk Evaluation and Mitigation Strategy"
Roseglitazone
Rosiglitazone
Rosol
"safety core" /2 (group or team)
(safety pre/1 profile*)
Sargartz
saxaglipti*
SCA
SCD
Sedo
(Sidney /2 Wolfe) or "Dr Wolfe"
Signal
sitagliptin /100 (CEA OR MCN OR thyroid)
Skyler
Sonal /2 Singh
(speaker* pre/1 bureau) or "round table" or roundtable
speaker /2 (dinner or lunch or breakfast)
(standby pre/1 statement*) or ("stand-by" pre/1 statement*)
strateg* /5 (consumer* or DTC or DTP or HCP)
stud* /5 (nonclinical or "non-clinical")
stud* /5 (pharma* or toxic* or design* or literature or population or medication* or ongoing or foreign or extension or control* or completed or cohort or safety or cancer)
stud* /5 (preclinical or "pre-clinical")
T2DM
team /3 (advisory or label* or review* or leadership or project or statistics or safety or risk* or biostats or brand or operational or ops)
team /3 (consult* or develop* or writing or escalation or plan* or market* or tactical)
team /3 (data* or mining or clinical or medical or cmc or epidemiology or study or pharmaco* or surveillance or toxicolog* or quality or QA)
thiazolidinedione*

Tradjenta
tumor*
"Type 2"
tzd
vict*
"α cell"
"β cell"

Exhibit B
Novo ESI Search Terms

QUALIFIERS

vict* OR lira* OR

NN2211 OR N2211 OR "N 2211" OR
NNC90-1170 OR NNC90-0000-1170 OR 90-1170 OR 90-0000-1170 OR
"NDA22 341" OR "NDA22341" OR "NDA22,341" OR "NDA22-341" OR
"NDA022 341" OR "NDA022341" OR "NDA022,341" OR "NDA022-341" OR
"N22 341" OR N22341 OR "N22,341" OR "N22-341" OR
"N022 341" OR "N022341" OR "N022,341" OR "N022-341" OR
"22 341" OR 22341 OR "22,341" OR "22-341" OR
"022 341" OR "022341" OR "022,341" OR "022-341"

"IND61 040" OR "IND61040" OR "IND61,040" OR "IND61-040" OR
"IND061 040" OR "IND061040" OR "IND061,040" OR "IND061-040" OR
"I61 040" OR I61040 OR "I61,040" OR "I61-040" OR
"I061 040" OR "I061040" OR "I061,040" OR "I061-040" OR
"61 040" OR 61040 OR "61,040" OR "61-040" OR
"061 040" OR "061040" OR "061,040" OR "061-040"

SEARCH TERMS

acinar* or protease

Actos

ADA

Adenom*

"adverse event*" or "serious event*" or "adverse reaction*"

(advertisement* or ad or ads) /5 (consumer* or DTC or DTP or HCP)

AER or AERs or AE or AEs or SAE or SAEs or OAERS or FAERS or FDAAERS

AkdA

Alexandra /2 Butler

aloglipti*

"alpha glucosidase"

amylase

anaphylaxis or anaphylactic

Animal

antidiabetic

apoptosis

Avandia

Bayesian

Belinda /2 Gier

Belinda /2 Schulda

benefit* /5 risk*

"beta cell" or "c cell"
biliary
"Bonner-Weir"
Butler /100 ductal
"Butler et al"
*bydureon
bydureon*
*byetta
byetta*
"c-cell"
"CA 19-9"
CAC or "Carcinogenicity Assessment Committee"
campaign* /5 (consumer* or DTC or DTP or HCP)
Cancer*
Carci*
Carpenter
case /3 (report* or assessment*)
CEA /100 pancr*
"cfr 314"
commercial* /5 (consumer* or DTC or DTP or HCP)
committee /3 (advisory or steering or assessment or bioethics or "ae-pc" or surveillance or chmp or
endpoint or data* or executive or ethics or event* or adjudication or ethics or oversight or pancreatitis or
physician or plan* or research or safety or policy or label* or quality)
"complaint investigat*" or "complaint coordinator*"
"complaint team*"
ct /5 (scan* OR imag* OR show*)
"data safety monitoring board"
data* /2 (surveillance or ukpds or trial or claims or covariate or core or laboratory or spontaneous or lipase
or agonist or safety)
data* /5 (nonclinical or "non-clinical")
data* /5 (preclinical or "pre-clinical")
DDMAC or OPDP
"dear doctor" or "dear dr" or "dear healthcare" or DHCP
Diabetes
Diabeti*
"dipeptidyl peptidase"
Disproportionality
"Division of Diabetes, Endocrinology, and Metabolic Diseases" or "DEM"
"DNN"
"DP-IV"
"DPP IV"
DPP-4 or DPPIV or DPP4 or "DPP-IV" or "DDP IV" or "DDP IV's" or "DPP 4" or "DPP 4's"
Drucker
"drug safety monitoring" or dsmb

ductal /2 (cell or obstruction or turnover or replication)
ductal /5 bil*
EBGM* or "eb05" or EGBM
Elashoff
EMEA
endocrine
epidemiological /2 (data* or analysis)
ERCP
etformin
exenatid*
exocrine
expert* /3 (panel* or speaker* or report* or consultant* or roundtable or committee or preclinical or safety or internal or external)
FDA*
Gale
Galvus
Genotox*
Gier
glipti*
*gliptin
glitaz*
"GLP-1" or GLP1 or "GLP 1" or "GLP I"
glucago*
group /3 (safety or study or complaint or data* or biometric* or treatment or research or evaluation or endpoint or outcome* or protocol or advisory or statistics or trial or writing or quality)
"Health Hazard Evaluation*" or hhe*
"hypersensitivity reaction*"
hypoglycemi*
IIT or "Investigator Initiated Trial"
"incidence rate*"
increti*
intraductal OR (intra /2 ductal)
IPMN
*janumet
janumet*
*januvi
Januvi*
jaundic*
Jentadueto
Juvisync
Kahn
Kazano
"key messag*"
kol or kols or champion* or "opinion leader*" or "thought leader*"

Kombiglyze
label* /15 ("black box" or "blackbox" or warn*)
label* /5 (chang* or extension* or update*)
"lactic acidosis"
Lesion
"level 3 complaint**"
linaglipti*
Lipase
(literature or brochure*) /5 (consumer* or DTC or DTP or HCP)
Malg*
"marketing report**"
Matteo /2 Monami
matvey*
Mechanistic
medullary
"meta analysis" or "meta-analysis"
Metaplasia*
metaplastic
Metast*
*metformi
metformi*
mfr /3 (report or number or labeler)
MGPS or "Mult-item Gamma Poisson Shrinker"
Michael /2 Nauck
mid* /2 epigastric
mimeti*
monitor* /3 (safety or event* or guideline*)
monkey OR primate* or monkie* or monke*
mouse OR mice
MSD
MSDC
Murine
"National Cancer Institute" or "NCI"
"National Institute of Diabetes and Digestive and Kidney Diseases"
"National Institute of Health" or "NIH"
Neopl*
Nesina
"Network for Pancreatic donors with Diabetes" or "NPOD"
NIDDK
"nonclinical tox**"
Onglyza
Oseni
panc*
pdg

"Pancreatic Cancer Action Network" or "PCAN"

PanIN

"Peptide-1" or "Peptide 1" or peptidase

"periodic report*" or pmr or psur*

Peter /2 Butler

Pioglitazone

*plasia

plasma /3 (concentrat* or glucose)

"post marketing" or "post-marketing" or "post market"

"postmarketing safety"

postprandial /3 (glucose or plasma)

"pre-cancerous" or precancerous

"preclinical tox*"

"press release*" or "press-release*"

"product complaint" /5 ("evaluation group*" or "sub-team*")

"product safety committee"

prolifer*

PRR or aPRR or "Proportional Reporting Ratio"

"quality assurance" or QA or "quality control" or QC or SOP or SOPs

rat OR rats

"receptor agonist*"

regulatory /10 (fda or report* or contact*)

REMS

result* /5 (nonclinical or "non-clinical")

result* /5 (preclinical or "pre-clinical")

"Risk Evaluation and Mitigation Strategy"

Roseglitazone

Rosiglitazone

Rosol

"safety core" /2 (group or team)

"safety profile*"

Sargartz

saxaglipti*

SCA

SCD

Sedo

Sidney /2 Wolfe or "Dr Wolfe"

Signal

*sitagliptin

sitagliptin*

Skyler

Sonal /2 Singh

speaker /2 (dinner or lunch or breakfast)

"speaker* bureau" or "round table" or roundtable

"standby statement*" or "stand-by statement*"

strateg* /5 (consumer* or DTC or DTP or HCP)

stud* /5 (nonclinical or "non-clinical")

stud* /5 (pharma* or toxic* or design* or literature or population or medication* or ongoing or foreign or extension or control* or completed or cohort or safety or cancer)

stud* /5 (preclinical or "pre-clinical")

T2DM

team /3 (advisory or label* or review* or leadership or project or statistics or safety or risk* or biostats or brand or operational or ops)

team /3 (consult* or develop* or writing or escalation or plan* or market* or tactical)

team /3 (data* or mining or clinical or medical or cmc or epidemiology or study or pharmaco* or surveillance or toxicolog* or quality or QA)

thiazolidinedione*

Tradjenta

tumor*

"Type 2"

tzd

victoza /100 (CEA OR MCN OR thyroid)

"Williams-Herman"

"α cell"

"β cell"