

UNITED STATES COURT of APPEALS
for the SECOND CIRCUIT



In Re: Zyprexa Litigation

07-1030-cv (L)
07-1107-cv (CON)

ORDER

The above-captioned appeals having been consolidated, and a stipulation having been filed on October 29, 2007 withdrawing with prejudice the appeal filed under docket number 07-1030-cv and withdrawing without prejudice the appeal filed under docket number 07-1107-cv, IT IS HEREBY ORDERED that the appeals be and they hereby are **severed**.

And appeal docket number 07-1107-cv having been reactivated by notice to the Clerk, IT IS FURTHER ORDERED that the appeal filed under docket number 07-1107-cv shall be governed by the following scheduling order:

Appellant's brief and the parties' joint appendix shall be filed on or before **September 15, 2008**;

Appellee's brief shall be filed on or before **October 15, 2008**;

Argument will be scheduled not earlier than the week of **December 15, 2008**.

IT IS FURTHER ORDERED that the ten (10) copies of each brief shall be filed with the Clerk.

All counsel should immediately advise the Clerk by letter of the dates thereafter that they are unavailable for oral argument. The time and place of oral argument shall be separately noticed by the Clerk to counsel.

IT IS FURTHER ORDERED that in the event of default by the appellant in filing the record on appeal or the appellant's brief and joint appendix, at the times directed, or upon default of the appellant regarding any other provision of this order, the appeal may be dismissed forthwith without further notice.

IT IS FURTHER ORDERED that if the appellee fails to file a brief within the time directed by this order, such appellee shall be subject to such sanctions as the court may deem appropriate

Catherine O. Wolfe,
Clerk of Court

by


Lisa J. Greenberg,
Staff Counsel

Date: