

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ SEP 07 2007 ★

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In re: ZYPREXA PRODUCTS LIABILITY : MDL No. 1596
LITIGATION :
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P.M. _____
TIME A.M. _____

THIS DOCUMENT RELATES TO: :
: No. 07-cv-0504 (JBW) (RLM)
ZYPREXA LITIGATION et al. :
: :
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STIPULATED ORDER

F211
9/7/07

COME NOW David S. Egilman, M.D., M.P.H. and Eli Lilly and Company ("Lilly"), and hereby request that the following Stipulated Order be approved by the Court.

WHEREAS the Honorable Jack B. Weinstein entered a Memorandum, Final Judgment, Order & Injunction on February 13, 2007, which found that Dr. Egilman "deliberately violated this court's protective order";

WHEREAS Eli Lilly and Company ("Lilly") expressed its intent to seek civil contempt remedies and the imposition of criminal contempt penalties against Dr. Egilman for his violation of the protective order;

WHEREAS Dr. Egilman, through his counsel, requested that Lilly enter into a resolution of this dispute;



WHEREAS Dr. Egilman has accepted responsibility for his violation of the protective order, as reflected in the Declaration attached as Exhibit "A."

WHEREAS Dr. Egilman has agreed to pay Lilly One Hundred Thousand Dollars (\$100,000.00), which will be donated by Lilly to a charity of its choosing, specifically the International Center for Clubhouse Development; and agreed that any future violation of the


protective order, or his Settlement Agreement with Lilly, will result in a stipulated penalty of One Hundred Thousand Dollars (\$100,000.00) per incident;

WHEREAS Dr. Egilman has agreed to dismiss his appeal of the Court's February 13, 2007, Memorandum, Final Judgment, Order & Injunction and March 6, 2007, Judgment & Order, with prejudice, and abide by their terms;

WHEREAS the parties, through their respective undersigned counsel, HEREBY STIPULATE AND AGREE to the entry of this Stipulated Order, and AGREE to seek Court approval of this Stipulated Order.

For David S. Egilman, M.D., M.P.H.	For Eli Lilly and Company
	
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UPON CONSIDERATION of the above stipulation between David S. Egilman, M.D., M.P.H. and Eli Lilly and Company, and for good and just cause, IT IS HERBY ORDERED that the Stipulated Order is approved and entered.

SO ORDERED

 Hon. Jack Weinstein
 United States District Judge

Dated: September 9/7, 2007
 Brooklyn, New York