



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: ZOLOFT LITIGATION

Civil Action No. 14-C-7000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER

Before the Court is *Defendants' Motion for Relief from Local Counsel In-Person Deposition Attendance*. (Transaction ID 56267542) The Court is advised that counsel for Plaintiffs have reviewed Defendants' motion and have no objection to the motion. Having conferred with one another to ensure uniformity of their decisions, as contemplated by West Virginia Trial Court Rule 26.07(a), the Presiding Judges make the following unanimous findings of fact and conclusions of law.

The Court **FINDS** that one of the amendments to Rule 8 of the Rules for Admission to the Practice of Law in West Virginia authorizes the relief sought by Defendants. The amendment provides that, "[l]ocal counsel shall further attend the taking of depositions and other events that occur in the proceedings that are not actually conducted before the judge, tribunal or other body of the State of West Virginia, unless the presiding judge permits local counsel to appear by telephone or other electronic means." Rule 8(b)(2015). However, the amendments to Rule 8 do not become effective until January 1, 2015. *See* September 29, 2014, Order of the Supreme Court of Appeals of West Virginia.

The Court further **FINDS** that Judge Young previously granted the same relief in 2013 when Plaintiffs sought the same relief regarding a cross-noticed MDL deposition of a retired Pfizer employee that was conducted in Paris, France. *See* Order entered on September 10, 2013.

In light of the foregoing, the Court **GRANTS, IN PART, AND DENIES, IN PART**, Defendants' motion. Local counsel for both Plaintiffs and Defendants may attend depositions by telephone or other electronic means, **beginning January 1, 2015**. Prior to January 1, 2015, local counsel must attend depositions in person.

It is so **ORDERED**.

ENTER: November 3, 2014.

/s/ James P. Mazzone
Lead Presiding Judge
Zoloft Litigation