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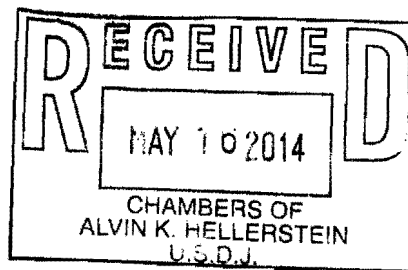
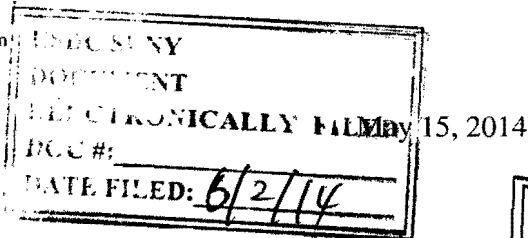
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Jason A. Forge
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VIA ECF

The Honorable Alvin K. Hellerstein
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Jones v. Pfizer Inc., et al.*,
Civil Action No. 1:10-cv-03864-AKH (S.D.N.Y.)

Dear Judge Hellerstein:

This letter concerns a dispute that has arisen since the close of fact discovery. The parties' positions are set forth below.

I. MEET AND CONFER EFFORTS

The parties have exchanged a number of emails and at about 11:00 a.m. PDT on April 28, 2014, counsel for Plaintiffs (Jason A. Forge) and Defendants (Steven M. Farina and Amanda M. MacDonald) spoke by telephone for approximately 30 minutes. None of these efforts have resolved the parties' disagreement.

II. PLAINTIFFS' POSITION

A. The Withheld Documents

Plaintiffs recently learned that throughout the entirety of fact discovery, Pfizer Inc. ("Pfizer" or the "Company") withheld from Plaintiffs, and even its own counsel, a number of documents that it produced to the government years ago – documents that may be the most compelling direct evidence of Pfizer's fraud. The core of this case concerns Pfizer's representations concerning, and its accounting treatment of, a government investigation into its unlawful off-label promotion of the drug Bextra (the "Bextra Investigation"). Publicly, Pfizer declared that it had "substantial defenses" to the Bextra Investigation without any recognition of such overwhelming evidence of guilt and such dramatic consequences from a conviction that a significant loss was inevitable from the investigation's first year.

The documents at issue were responsive to Pl's document request, and should have been timely produced. Pl's request for relief is granted in full. I reserve the question of sanctions to a later day.
5-30-14
Alvin K. Hellerstein

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Judge wrote:

“The documents at issue were responsive to plaintiffs’ document request, and should have been timely produced. Plaintiffs’ request for relief is granted in full. I reserve the question of monetary sanctions to a later day.

5-30-14

Alvin K. Hellerstein”