

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARY K. JONES, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

PFIZER INC., et al.,

Defendants.

Civil Action No. 1:10-cv-03864-AKH

Hon. Alvin K. Hellerstein

ECF Case

**NOTICE OF MOTION *IN LIMINE* NO. 12 TO PRECLUDE PLAINTIFFS FROM  
ARGUING AT TRIAL THAT THE ABANDONED STATEMENTS AND OMISSIONS  
SUPPORT ANY FINDING OF LIABILITY AGAINST ANY OF THE DEFENDANTS**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum in Support of Defendants' Motion *In Limine* No. 12 to Preclude Plaintiffs From Arguing at Trial that the Abandoned Statements and Omissions Support any Finding of Liability Against any of the Defendants, the December 10, 2014 Declaration of Amanda M. MacDonald in Support of Defendants' Motions *In Limine*, and Exhibits annexed thereto, and all prior pleadings, submissions and proceedings had herein, Defendants Pfizer Inc., Ian C. Read, Allen Waxman, Alan G. Levin, Frank D'Amelio, Jeffrey B. Kindler, and Henry A. McKinnell will move the United States District Court for the Southern District of New York, on a date and at such time as may be designated by the Court, located in the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an order, pursuant to Federal Rule of Evidence 403, precluding Plaintiffs from arguing at trial that (1) the alleged misstatements that they have abandoned were false or misleading; (2) the alleged omissions that they have abandoned were required to be disclosed; or (3) any of the abandoned statements or omissions

otherwise support any finding of liability against any of the Defendants. Defendants respectfully request oral argument on all of their *in limine* motions.

Date: December 10, 2014  
Washington, D.C.

Respectfully submitted,  
WILLIAMS & CONNOLLY LLP

By: /s/ Joseph G. Petrosinelli  
Joseph G. Petrosinelli (admitted *pro hac vice*)  
Steven M. Farina (admitted *pro hac vice*)  
George A. Borden  
Amanda M. MacDonald (admitted *pro hac vice*)  
725 Twelfth Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 434-5000  
Facsimile: (202) 434-5029  
sfarina@wc.com  
jpetrosinelli@wc.com  
gborden@wc.com  
amacdonald@wc.com

*Counsel for Defendant Pfizer Inc.*

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By: /s/ Scott D. Musoff  
Scott D. Musoff  
Four Times Square  
New York, New York 10036  
Telephone: (212) 735-3000  
Facsimile: (212) 735-2000  
scott.musoff@skadden.com

Jennifer L. Spaziano (*pro hac vice* pending)  
Michael S. Bailey (*pro hac vice* pending)  
1440 New York Avenue NW  
Washington, DC 20005  
Telephone: (202) 371-7000

Facsimile: (202) 393-5760  
Email: Jen.Spaziano@skadden.com  
Email: Michael.Bailey@skadden.com

*Counsel for Henry A. McKinnell*

DAVIS POLK & WARDWELL LLP

By: /s/ James P. Rouhandeh  
James P. Rouhandeh  
Charles S. Duggan  
450 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 450-4000  
james.rouhandeh@davispolk.com  
charles.duggan@davispolk.com

*Counsel for Defendant Jeffrey B. Kindler*

GOODWIN PROCTER LLP

By: /s/ Richard M. Strassberg  
Richard M. Strassberg  
Daniel Roeser  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018  
Tel.: (212) 813-8800  
Fax: (212) 355-3333  
rstrassberg@goodwinprocter.com  
droeser@goodwinprocter.com

*Counsel for Defendant Frank D'Amelio*

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By: /s/ Jay B. Kasner

Jay B. Kasner  
Gary J. Hacker  
Alexander C. Drylewski  
Four Times Square  
New York, New York 10036  
Telephone: (212) 735-3000  
Facsimile: (212) 735-2000  
jay.kasner@skadden.com  
gary.hacker@skadden.com  
alexander.drylewski@skadden.com

*Counsel for Defendant Alan G. Levin*

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By: /s/ Michael B. Carlinsky

Michael B. Carlinsky  
Sheila Birnbaum  
Brant Duncan Kuehn (*pro hac vice* pending)  
51 Madison Avenue  
New York, New York 10010  
(212) 849-7000

Lori Alvino McGill  
777 6th Street, NW  
Washington, DC 20001  
(202) 538-8000

*Counsel for Defendant Ian C. Read*

O'MELVENY & MYERS LLP

By: /s/ Ross B. Galin

Ross B. Galin  
Stuart Sarnoff  
Howard E. Heiss  
7 Times Square  
New York, New York 10036

Telephone: (212) 326-2000

Facsimile: (212) 326-2061

rgalin@omm.com

ssarnoff@omm.com

hheiss@omm.com

*Counsel for Defendant Allen Waxman*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 10th day of December, 2014, the foregoing Notice of Motion *In Limine* No. 12 to Preclude Plaintiffs From Arguing at Trial that the Abandoned Statements and Omissions Support any Finding of Liability Against any of the Defendants was filed with the Court through the CM/ECF system and thereby served to all parties of record.

/s/ Lauren K. Collogan

Lauren K. Collogan  
Williams & Connolly LLP  
725 Twelfth Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 434-5000  
Facsimile: (202) 434-5029  
lcollogan@wc.com

**Regan Karstrand**

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**U.S. District Court**

**Southern District of New York**

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**Case Number:** [1:10-cv-03864-AKH](#)  
**Filer:** Frank D'Amelio  
Jeffrey B. Kindler  
Alan G. Levin  
Henry A. McKinnell  
Pfizer, Inc.  
Ian C. Read  
Allen Waxman

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**Docket Text:**

***MOTION in Limine No. 12 To Preclude Plaintiffs From Arguing At Trial that the Abandoned Statements and Omissions Support Any Finding of Liability Against Any of the Defendants.***  
**Document filed by Frank D'Amelio, Jeffrey B. Kindler, Alan G. Levin, Henry A. McKinnell, Pfizer, Inc., Ian C. Read, Allen Waxman.(Collogan, Lauren)**

**1:10-cv-03864-AKH Notice has been electronically mailed to:**

Alexander C Drylewski alexander.drylewski@skadden.com

Amanda M. MacDonald amacdonald@wc.com

Brant Duncan Kuehn brantkuehn@quinnemanuel.com

Charles S. Duggan charles.duggan@dpw.com, ecf.ct.papers@davispolk.com

Cynthia Margaret Monaco cmonaco@cynthiamonacolaw.com, cmmonaco@gmail.com

Daniel Prugh Roeser droeser@goodwinprocter.com

Danielle Suzanne Myers dmyers@rgrdlaw.com

Darren J. Robbins e\_file\_sd@rgrdlaw.com

David Avi Rosenfeld drosenfeld@rgrdlaw.com, e\_file\_ny@rgrdlaw.com, e\_file\_sd@rgrdlaw.com

Donald Alan Migliori dmigliori@motleyrice.com

Eugene Mikolajczyk genem@rgrdlaw.com

Gary John Hacker ghacker@skadden.com

George Anthony Borden gborden@wc.com

Hamilton Philip Lindley hlindley@deanslyons.com, mgoens@deanslyons.com

Henry Rosen henryr@rgrdlaw.com, dianah@rgrdlaw.com

Howard E. Heiss hheiss@omm.com, #nymanagingattorney@omm.com

Ivy T. Ngo ingo@rgrdlaw.com, e\_file\_sd@rgrdlaw.com

James M. Hughes jhughes@motleyrice.com, erichards@motleyrice.com, kweil@motleyrice.com, kweil@pacernotice.com, mgruetzmacher@motleyrice.com

James P. Rouhandeh james.rouhandeh@dpw.com, ecf.ct.papers@davispolk.com

James R. Harper coljamesrharper@me.com

Jason A. Forge jforge@rgrdlaw.com, e\_file\_SD@rgrdlaw.com, tholindrake@rgrdlaw.com

Jay B. Kasner jkasner@skadden.com

Jennifer Lynn Spaziano jen.spaziano@skadden.com

Joe Kendall administrator@kendalllawgroup.com, hlindley@kendalllawgroup.com, jkendall@kendalllawgroup.com

John K. Villa jvilla@wc.com

Joseph F. Rice jrice@motleyrice.com

Joseph G. Petrosinelli jpetrosinelli@wc.com



Juliana Newcomb Murray juliana.murray@davispolk.com, ecf.ct.papers@davispolk.com

Keir Nicholas Dougall kdougall@dougallpc.com

Kevin Anthony Burke kaburke@sidley.com, efileingnotice@sidley.com, nyefiling@sidley.com

Lauren Kristina Collogan lcollogan@wc.com

Leigh R. Lasky lasky@laskyrifkind.com

Lori McGill lorialvinomcgill@quinnemanuel.com

Matthew Melamed mmelamed@rgrdlaw.com

Michael Barry Carlinsky michaelcarlinsky@quinnemanuel.com, brantkuehn@quinnemanuel.com, jomairecrawford@quinnemanuel.com

Michael Joseph Dowd miked@rgrdlaw.com, e\_file\_sd@rgrdlaw.com, e\_file\_sf@rgrdlaw.com, tome@rgrdlaw.com

Michael Scott Bailey michael.bailey@skadden.com

Mitchell M.Z. Twersky mtwersky@aftlaw.com

Paul T. Hourihan phourihan@wc.com

Richard Mark Strassberg rstrassberg@goodwinprocter.com, nymanagingclerk@goodwinprocter.com

Ross Bradley Galin rgalin@omm.com, lisachen@omm.com, mochoa@omm.com, neverhart@omm.com

Ryan A. Llorens ryanl@rgrdlaw.com, kirstenb@rgrdlaw.com, nbear@rgrdlaw.com

Samuel Howard Rudman srudman@rgrdlaw.com, e\_file\_ny@rgrdlaw.com, e\_file\_sd@rgrdlaw.com, mblasy@rgrdlaw.com

Scott D. Musoff smusoff@skadden.com, david.carney@skadden.com

Seema Mittal smittal@wc.com

Sheila L. Birnbaum sheilabirnbaum@quinnemanuel.com

Sidney Bashago sidney.bashago@dpw.com

Steven M.. Farina sfarina@wc.com

Stuart Michael Sarnoff ssarnoff@omm.com

Trig Randall Smith trigs@rgrdlaw.com, e\_file\_sd@rgrdlaw.com, nhorstman@rgrdlaw.com

William E. Schurmann wschurmann@wc.com

William H. Narwold   bnarwold@motleyrice.com, ajanelle@motleyrice.com, vlepine@motleyrice.com

Willow E. Radcliffe   willowr@rgrdlaw.com, ptiffith@rgrdlaw.com

**1:10-cv-03864-AKH Notice has been delivered by other means to:**

Catherine J. Kowalewski  
Robbins Geller Rudman & Dowd LLP (San Diego)  
655 West Broadway  
Suite 1900  
San Diego, CA 92101

Daniel E. Hill  
Kendall Law Group, LLP  
3232 McKinney Avenue  
Suite 700  
Dallas, TX 75204

David C. Walton  
Robbins Geller Rudman & Dowd LLP (SANDIEGO)  
655 West Broadway  
Suite 1900  
San Diego, CA 92101

Jamie J. McKey  
Kendall Law Group, LLP  
3232 McKinney Avenue  
Suite 700  
Dallas, TX 75204

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