



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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

Plaintiffs,

-against-

PFIZER, INC et al.,

Defendants.

ORDER

10 Civ. 3864 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Non-party KPMG LLP seeks a protective order preventing Plaintiff from obtaining additional discovery from KPMG in this matter. I held oral argument on this issue on March 8, 2013. For the reasons stated on the record, I find that documents held by Tim Hendley, a KPMG forensic audit partner who worked with Defendants, may be relevant to the case, and I deny KPMG's motion that seeks to block Plaintiff from accessing those records.

KPMG, however, is entitled to reimbursement for some its costs in responding to Plaintiff's subpoena. The parties have agreed that Plaintiff will pay KPMG \$65,000 in settlement of the \$123,051.56 of costs so far incurred. This payment does not include payment for expenses yet to be incurred, such as expenses related to the Hendley documents, which may also be reimbursable.

The Clerk shall terminate the motion (Doc. No. 153).

SO ORDERED.

Dated: March 8, 2013
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge