

# Robbins Geller Rudman & Dowd LLP

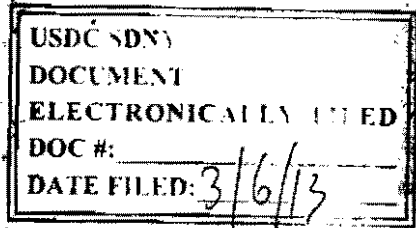
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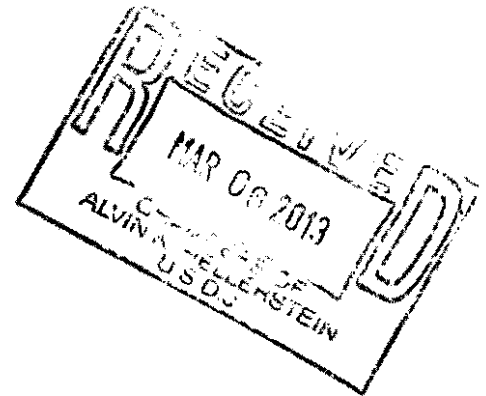
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March 4, 2013



VIA FACSIMILE 212/805-7942

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

*I shall hear argument with  
the parties on 3/8/13 at 10:45 a.m.*  
*Alvin K. Hellerstein*  
*3/6/13*

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

Dear Judge Hellerstein:

On January 18, 2013, the parties appeared in the above-captioned action and provided your Honor with an update regarding the status of document discovery and scheduling of depositions. During the January 18, 2013, status conference you also ordered the parties to appear for a status conference on March 8, 2013. In addition, on February 26, 2013, you ordered KPMG, LLP ("KPMG") to file their motion for a protective order by March 5, 2013, in response to plaintiffs' February 22, 2013, letter.

Plaintiffs respectfully request, subject to the Court's availability, that both matters, *i.e.*, the March 8, 2013, status conference and the discovery dispute with KPMG be heard at the same time. If convenient with the Court's calendar, plaintiffs make the request that these matters be combined and set separately on March 8, 2013, for the following reasons:

- a. During the January 18, 2013, conference, the Court instructed the parties to come to the March 8, 2013, status conference with a plan to complete depositions by the end of June 2013;
- b. Depositions of KPMG will be necessary in this matter and documents at issue in the dispute with KPMG will be necessary to complete those depositions;

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c. The discovery dispute with KPMG needs to be resolved so plaintiffs can fully understand and evaluate the recent reliance of professionals defense defendants are asserting that the litigation proceedings sections of Pfizer's public filings are not misleading and to fully prepare for depositions that plaintiffs propose to schedule and take in the next 30-90 days, including depositions of individuals from KPMG and Pfizer who interacted with KPMG;

d. Plaintiffs also believe setting these two matters together, again subject to the Court's calendar that day, on March 8, 2013, may be warranted because plaintiffs anticipate that additional time will be required for the Court to resolve the scheduling and discovery disputes between the parties in addition to plaintiffs' dispute with KPMG. These differences will be set forth in an upcoming letter the parties will submit in advance of the March 8, 2013, conference; and

e. Counsel for plaintiffs have conferred with counsel for defendants and counsel for KPMG, who have advised that they are available on March 8, 2013, at the Court's convenience to appear before your Honor on these matters.

Plaintiffs appreciate the Court's consideration of this request.

Very respectfully yours,

  
HENRY ROSEN  
ROBBINS GELLER RUDMAN  
& DOWD LLP

HR:dlh

cc: Steve Farina, Esq. (Counsel for Defendants) (via e-mail)  
Kevin A. Burke, Esq. (Counsel for KPMG) (via e-mail)