



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

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ORDER

REGLAN/METOCLOPRAMIDE CASES

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

<p>COORDINATION PROCEEDING SPECIAL TITLE [RULE 3.550]</p> <p>REGLAN /METOCLOPRAMIDE</p>	<p>Judicial Council Coordination Proceeding No. 4631 Superior Court No.: CJC-10-004631</p> <p>ORDER RE ELECTRONIC SERVICE</p>
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The parties shall effectuate service of documents by the procedures set forth in this Order (subject to certain exceptions as described below):

I. LEXISNEXIS FILE & SERVE

In order to facilitate case management, document retrieval and case organization, the parties will utilize the service of LexisNexis File & Serve (“LNFS”) and its litigation system (the “System”) for providing electronic service, storage and delivery of court-filed and discovery-related documents through a secure website to facilitate expeditious, efficient and economical communication by and amongst counsel.* The Court, at its option, may also use LNFS and the System for these purposes as well as to communicate with counsel of record.

II. SERVICE ONLY

The System shall apply only to the service of documents, and not to their filing. Original

* This order is meant to set forth the electronic service procedures to be utilized in JCCP 4631 and the cases coordinated therein. It does not set forth the procedure or service list for original service of process. The service list and procedure for original service of process will be set forth in a separate order of this Court.

1 documents must still be filed in the traditional manner (i.e., filing the signed original document with
2 the Court), pursuant to the California Code of Civil Procedure and Local Rules of such Court. A
3 courtesy copy of all filed documents relating to a Court hearing shall be delivered to Department 304.

4 **III. SERVICE LIST AND SIGN UP**

5 Within twenty (20) days of this Order, Liaison Counsel shall submit to the LNFS
6 representative Keith Foote (keith.foote@lexisnexis.com) a complete and current service list of counsel
7 of record for each case in this litigation. Within twenty (20) days of this Order, each attorney of
8 record shall register for electronic service in this litigation by completing the application located at the
9 following website: <http://www.lexisnexis.com/fileandserve>. Thereafter, any new attorney to the
10 litigation must register within twenty (20) days of his or her entry of appearance.

11 **IV. SERVICE OF DOCUMENTS AND WEBSITE**

12 When any counsel of record wishes to serve a document, that counsel shall serve the document
13 according to all the requirements and procedures of this Order. All references to "document" in this
14 Order shall be interpreted to include any exhibits or attachments to the document and shall include
15 both pleadings and discovery-related documents (such as interrogatories, requests for production,
16 deposition notices/transcripts, etc.); provided, however, that each attorney shall determine individually
17 whether to utilize the System to serve correspondence and/or the actual production of discovery
18 documents in response to another party's request for production.

19 A. LNFS shall establish and maintain an Internet website (the "Website") for this JCCP
20 and also for each individual case transferred to it. LNFS will post all documents served by the parties
21 to the Website as provided in this Order and shall serve each document on the parties included on the
22 service list provided to LNFS in accordance with the procedures herein.

23 B. Documents to be served shall be served via electronic transfer of the document file to
24 LNFS via the Internet (either as word-processing file or as scanned image of the document). The title
25 of each document will identify the type and purpose of each document and the party who is submitting
26 such document. In cases with multiple plaintiffs and a single case number, the case caption shall state
27 "This document applies to the following plaintiff(s)" and it shall then identify the plaintiff(s) to which
28 the document applies. Each document electronically served pursuant to this Order shall be deemed to

1 have been served under the California Rules of Civil Procedure.

2 C. After LNFS receives a document, LNFS shall convert such document into Adobe
3 Portable Document Format ("PDF") and post it to the Website within one (1) hour of receipt.

4 D. Within one (1) hour of the time a document is posted to the Website, LNFS shall send
5 an email to all registered users served with the document notifying them that the document has been
6 posted to the Website (unless such registered user has declined to receive such email notifications, or
7 made other arrangements with LNFS). The email shall contain hypertext link(s) to the document
8 location(s) on the System (or, if so designated by the recipient, the email shall have the served
9 document attached hereto).

10 E. All documents posted on the System will be identified by: (a) the name of the serving
11 law firm; (b) the caption(s) and case number(s) of the case(s) to which the document belongs; (c) the
12 title of the document set forth on its caption; and (d) the identity of the party on whose behalf the
13 document is being served.

14 F. The System shall contain an index of all served documents for each case and the JCCP
15 that will be searchable and sortable according to methods that provide useful 24/7 365 days access to
16 the documents.

17 G. Access to the System will be limited to registered users and to the Court. All
18 documents served through this System will be served on every party on the Service List, unless
19 otherwise specified by the serving party, and will be available to any party subsequently added to the
20 Service List for that case. The Service List for each case will include Plaintiffs' Liaison Counsel
21 ("PLC"), Defendants' Liaison Counsel ("DLC"), and every party who has appeared in that action and
22 any party named in that action who makes a request to PLC and DLC to be added to the Service List.
23 Registered users will consist of authorized Court personnel, counsel of record and their designated
24 staff members. LNFS will provide each registered user with a user name and password to access the
25 System and the documents served in the litigation. LNFS personnel will perform all administrative
26 functions for the System, but all initial data, additions, deletions or changes to the service list must be
27 approved by the Plaintiffs and Defendants.

28 H. If a document is captioned as applicable to all cases in the JCCP, it shall be served

1 under the JCCP case number. If the document is captioned as applicable to individual case(s) in the
2 JCCP, it shall be served under the applicable JCCP number and individual case number(s) and /or case
3 name(s).

4 I. Every pleading, document and instrument served electronically, if not otherwise signed,
5 shall bear a facsimile or typographical signature of at least one of the attorneys of record, along with
6 the typed name, address, telephone number and California State Bar number of such attorney (if the
7 attorney has been admitted pro hac vice, his or her applicable state bar number). Typographical
8 signatures shall be treated exactly as personal signatures for purposes of electronically served
9 documents under the California Code of Civil Procedure. The serving party of any document
10 requiring multiple signatures (e.g., stipulations, joint status reports) must list thereon all the names of
11 other signatories by means of an “/s/ [name]” block for each. By submitting such a document, the
12 serving party certifies that each of the other signatories has expressly agreed to the form and substance
13 of the document and that the serving party has the actual authority to submit the document
14 electronically. The serving party must maintain any records evidencing this concurrence for
15 subsequent production to the Court if so ordered or for inspection upon request by a party.

16 J. Any document transmitted to the System shall certify in the Proof of Service that a true
17 and correct copy was electronically served on counsel of record by transmission to LNFS.

18 K. Until further notice, documents filed under seal (“sealed documents”) shall not be
19 served through the System. Instead, the service of sealed documents shall be made pursuant to the
20 California Code of Civil Procedure.

21 L. LNFS shall have available to counsel of record and the Court a 24-hour 365 days a year
22 help desk hotline at (888) 529-7587 and website <http://www.lexisnexis.com/fileandserve/support.asp>.

23 M. LNFS shall be instructed to place the Court on the list of those who can access the
24 documents served in this manner which are also filed, as well as discovery, but not as to matters of
25 correspondence between the parties. If LNFS is unable to do so, the remainder of this order shall be
26 effective, nonetheless.

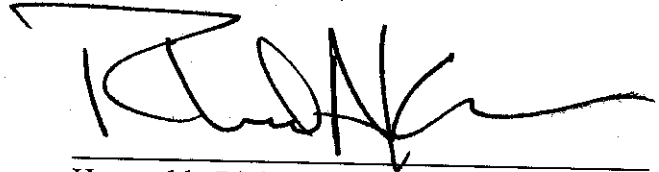
27 N. The time for any response to documents served pursuant to this Order as described
28 above shall be extended by two court days pursuant to Code of Civil Procedure § 1010.6(a)(6), unless

1 such documents are also personally served.

2 O. Documents submitted electronically, pursuant to this Order, will be considered served
3 on the day indicated if they were served by 7:00 p.m. Pacific Standard Time. Documents served after
4 7:00 p.m. Pacific Standard Time are considered served the following day. The time a document is
5 served is defined as the time a document is sent to LNFS.

6
7 **IT IS SO ORDERED.**

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9 Dated: 2-9, 2011



Honorable Richard A. Kramer
Judge of the Superior Court