

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA
3 WEST PALM BEACH DIVISION

4 CASE NO. 20-md-02924-ROSENBERG

5 **IN RE: ZANTAC (RANITIDINE)** .
6 **PRODUCTS LIABILITY** . West Palm Beach, FL
7 **LITIGATION.** . December 23, 2021
8 .
9 .

10 DISCOVERY HEARING (through Zoom)
11 BEFORE THE HONORABLE BRUCE REINHART
12 UNITED STATES MAGISTRATE JUDGE

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1 *THE COURT:* Good afternoon, everyone. This is Case
2 Number 20-2924, In Re: Zantac (Ranitidine) Product Liability
3 Litigation. We are here today for a discovery hearing on a
4 request for additional depositions from GSK.

5 Let me begin by letting the parties make appearances.
6 I will start with counsel for the Plaintiffs.

7 *MS. FINKEN:* Tracey Finken on behalf of Plaintiffs,
8 your Honor.

9 *THE COURT:* Good afternoon.

10 *MS. FINKEN:* Good afternoon.

11 *THE COURT:* On behalf of GSK.

12 *MR. SACHE:* Will Sachse on behalf of GSK, your Honor.
13 Good afternoon.

14 *THE COURT:* Good afternoon. I reviewed the
15 submissions that the parties sent over, and I guess this is in
16 some respects the equivalent of a Motion for Protective Order
17 by GSK. Given that we are still within the discovery window --
18 I guess I should turn my camera on -- all right.

19 I said, since we are in the discovery period, and
20 presumptively the Plaintiffs still have the right to take
21 depositions, I think this is the functional equivalent, so, Mr.
22 Sachse, I will give you the first and last word on whatever we
23 have to deal with today.

24 I had one preliminary question from reviewing the
25 parties' materials. I note that three of the proposed

1 deponents are former employees of GSK. Is that an issue? Does
2 GSK take the position they can't provide these people, or does
3 GSK not contest they can produce these people if their
4 depositions are noticed?

5 *MR. SACHE:* So, GSK's position, our position is,
6 frankly and candidly, we do not know because we have not talked
7 to any of the three former employees about whether they will
8 cooperate or not.

9 It has been our practice throughout this litigation
10 to -- when a request for a former employee comes up, we do
11 contact them, and I think with almost every -- in every
12 instance, save one, I think the witness has agreed to cooperate
13 and appear voluntarily.

14 I will say that that process, you know, takes time,
15 obviously, getting all of that in place.

16 *THE COURT:* I guess the related question, then, is, I
17 don't want to tread on any attorney/client situations, but do
18 you take the position that GSK's counsel then represents the
19 deponent for purposes of the deposition or that the deponent is
20 not represented by counsel for GSK?

21 *MR. SACHE:* For purposes of the depositions I have
22 been or my co-counsel have been representing both the company
23 and the witness.

24 *THE COURT:* GSK is providing counsel to the former
25 employee?

1 MR. SACHE: That is correct.

2 THE COURT: Thank you for clarifying that. I will let
3 you make your arguments now. Thank you, Mr. Sachse.

4 MR. SACHE: Sure. Really, I think you have read the
5 papers, this should be pretty straightforward, hopefully. Our
6 position is, first and foremost, PTO 54, and obviously the
7 parties have a disagreement about what it means and whether the
8 cap, the soft cap is 28 or 35. We negotiated this a few years
9 ago, it was a very prolonged and at times difficult
10 negotiation.

11 We landed at the 28, and at that time counsel for the
12 Plaintiffs represented that the additional seven were supposed
13 to be reserved for class action lawyers to ask class action
14 questions. That is the way the PTO was written. I know that
15 my colleague on the other side will seize on the word "may",
16 and we all remember law school, may versus shall.

17 I also remember law school, and I think that their
18 interpretation not only is inconsistent with the history of the
19 negotiations and the representations that were made, but also
20 it would render the clause about the class action lawyers a
21 nullity, which is another no-no.

22 I think our real kind of the focus, and I think you
23 know this, Judge, by now about me, it is about getting down to
24 brass tacks and the practical aspects, and we are at a point
25 now -- it is December 23rd, I am wearing a red blazer in

1 celebration of the season, and we just don't have enough time
2 for these witnesses, A; and B, these are all witnesses who were
3 known to the Plaintiffs for months and months. In fact, the
4 Plaintiffs have been asking questions related to these
5 witnesses since the spring.

6 So, there is no reason why, if -- you know, Dr.
7 Padfield, for example, is now a key witness, why they couldn't
8 have noticed him or asked for his deposition when I was in
9 London in July, or when I was in London in September, or when I
10 was in London last month or earlier this month. They could
11 have said, by the way, when you are going over there and
12 dodging Omicron, why don't we also see if we can schedule Dr.
13 Padfield.

14 To now ask at the kind of close of discovery and close
15 of December for these depositions, it is not going to be
16 possible for us to get these deposition scheduled before the
17 close of fact discovery.

18 With the current employees, sort of similar logistical
19 problems, Ms. Cochlan, Mr. Parker. GSK is closed right now,
20 the company is closed until early January, I think January 10
21 is when most employees will return. And so, even making
22 contact with these folks at this point and trying to talk to
23 them about potentially getting a deposition, putting aside
24 whether these witnesses are adding anything to the picture, it
25 is just not going to be possible or practical for us.

1 And then the last thing I will say is, of course, the
2 30(b)(6)s, I think we pretty conclusively show that these are
3 duplicative of prior 30(b)(6) requests and testimony. I don't
4 think the Plaintiffs really fought too hard on that, so I think
5 those are kind of put to the side.

6 As I look at this, in particular I am worried about
7 the three formers, Dr. Padfield, who we believe he is in
8 Oxford, Dr. Winterborn, who winters in the Caribbean, so
9 getting in touch with him is going to be difficult, and Dr.
10 Colborn, who is now employed by another company, and I think he
11 might actually be on the West Coast, but I am not sure. We are
12 sort of out of time, is fundamentally kind of where we are.

13 *THE COURT:* Thank you. Let me have Ms. Finken to
14 respond.

15 *MS. FINKEN:* Thank you, your Honor. Let me address
16 all of the points that Mr. Sachse raised.

17 One, obviously may means may, so the PTO says what it
18 says, that we may take up to 35 depositions, of which seven or
19 eight may be class depositions. We have been picking and
20 choosing and being very judicious about how we go about
21 scheduling those depositions because we are very conscious, and
22 have been from day one, on the soft cap limitations that are in
23 place in this litigation.

24 As your Honor is aware, we have been in front of the
25 Court multiple times where we have discussed scheduling

1 depositions and the Defendants have said to us on many, many
2 occasions, you can take liability depositions towards the end,
3 let's focus on all the science depositions up front, and that's
4 what we did.

5 We have been working well, I thought, with Mr. Sachse
6 trying to get depositions scheduled, working to determine which
7 witnesses make sense and which don't, and that has been an
8 ongoing iterative process that we have been engaged in for
9 months now that I thought has been going pretty smoothly.

10 With that being said, these witnesses were requested
11 on December 10. We are certainly willing to work with Mr.
12 Sachse on the timing of the depositions, and if it is something
13 that means that his witness isn't available until the first or
14 second week of February, that is something, with the Court's
15 blessing, we would work with Mr. Sachse on making sure that we
16 can accommodate the witness on the timing.

17 It is not something that, from our viewpoint, we need
18 these depositions to finish our expert report, so it would not
19 cause a delay in that type of deadline that we have set, and it
20 is something that we are certainly willing to work with him on.

21 The third point, the 30(b)(6)s are not being put
22 aside. They are not duplicative, they are more of a narrowed
23 honed in deposition on a specific location, versus a general
24 storage and shipping, and if your Honor would like me to -- we
25 didn't go into this in the brief, but there are certainly areas

1 where their original 30(b)(6) witness was unable to testify
2 about certain areas that we intend to raise with these 30(b)(6)
3 witnesses, and that is something that we have not had a
4 discussion with Mr. Sachse about, the scope or anything along
5 those lines.

6 This has just been a flat objection which, frankly, I
7 thought he was kidding when he first made it. I did not think
8 he was actually serious that he was planning on objecting to
9 the last seven depositions that we had requested in the case,
10 but here we are.

11 It is good to see you for the holidays, and I am happy
12 to answer any questions that you might have about it, but we,
13 as always, are willing to work with Mr. Sachse on the timing
14 and the scope, like we always do.

15 *THE COURT:* I appreciate that.

16 First of all, let me rule on one thing and then we can
17 proceed from there.

18 I am looking at the language of PTO 54, and you all
19 are going to make me choose between whether I am Justice
20 Scalia, who doesn't believe you look at the legislative
21 history, you just look at the text, or whether I am Justice
22 Brennan, who says you look beyond and you look at what the
23 parties intended.

24 Today I am going to opt to be a textualist. As I read
25 the provision, it says "Absent agreement of the parties or

1 order of the Court, Plaintiffs as a group will be limited to
2 the following presumptive number of witnesses:

3 "Number one, 35 depositions for Defendant GSK, of
4 which up to eight may be allocated for depositions limited to
5 issues unique to the class actions."

6 The way I read that is, it was capping how many of the
7 35 could be allocated to class. It wasn't saying you can only
8 take 27, plus you get eight more if you want them for class.

9 So, that will be my ruling as how I am going to
10 interpret PTO 54, is that if the Plaintiffs want to burn their
11 last eight depositions on what they have asked for here and
12 they want to take none on class, that is their choice, but I
13 think they are entitled to take up to 35 depositions by the
14 plain terms of PTO 54. Let me start with that one.

15 Then I had a questions for the parties, because I have
16 not been as deep into this as you all have recently.

17 I know at least one other setting in this case, and it
18 may be with a third party, the parties got Judge Rosenberg's
19 blessing to continue some discovery after January 24th, so long
20 as they swore a blood oath that they would never move for a
21 continuance based upon that fact.

22 What is the parties' position as to whether Judge
23 Rosenberg has extended that courtesy to this situation? In
24 other words, Ms. Finken, you are saying you would be happy to
25 agree with the Plaintiffs -- or with GSK, if they would agree

1 to it, to take these depositions later. I don't know that I
2 have the authority to authorize that, but is it your position
3 that you believe that if there is an agreement of the parties,
4 you can do that?

5 *MS. FINKEN:* Your Honor, I believe under PTO -- I
6 might have to phone a friend, Mr. McGlamry, who has every PTO
7 memorized in this case, but --

8 *MR. McGLAMRY:* Your Honor, it is PTO 30.

9 *MS. FINKEN:* PTO 30, thank you. I knew he would know.
10 PTO 30 does say that we can engage in agreements with
11 counsel to extend discovery deadlines as long as they do not
12 infringe upon other deadlines in the case.

13 So, I believe, according to PTO 30, that we could have
14 an agreement with Mr. Sachse that if he needs some additional
15 time to prepare his witnesses or locate them and make them
16 available for deposition, that we can do that beyond the
17 January 24th date, and we are certainly willing to discuss
18 that.

19 *THE COURT:* Let me pause you there for a second and
20 turn to Mr. Sachse. Not trying to get you to commit that you
21 would agree to this, do you believe, under PTO 30, that's the
22 right interpretation, that the parties could agree to continue
23 to take these depositions after January 24th?

24 *MR. SACHE:* Yes. I think we do need to disaggregate
25 what do I have authority to agree to versus what I think is

1 possible. I do think it is possible to go -- in this specific
2 context if there were an agreement or a court order allowing
3 it, and I am not saying your court order necessarily, but it
4 does seem to me that that would be allowed under the PTO.

5 *THE COURT:* So the record is very, very clear, I have
6 not asked whether GSK agrees to do such a thing, I am just
7 asking whether Mr. Sachse agrees as a matter of interpreting
8 the PTOs, that Ms. Finken's interpretation, at least as to what
9 the parties' authority is, is accurate. That's all you have
10 agreed to, just so the record is very clear and you don't get
11 in trouble with your client.

12 Okay. Let me then break these into two categories
13 because it is somewhat easier to deal with one rather than the
14 other.

15 Is it two or three current witnesses? I guess it is
16 two current witnesses and -- Mr. Sachse, I am looking at your
17 submission, and it looks like Mr. Parker gets to GSK in July of
18 2015, and as you point out, they are sort of winding things
19 down, and by the time he gets there, the last batch of
20 manufactured product at the Zebulon facility has been
21 manufactured.

22 Am I reading the timeline right?

23 *MR. SACHE:* Almost. The last batch of 150-milligram
24 has already rolled off of the assembly line. They continued to
25 make the 300-milligram, and I think the last batch of that was

1 2017.

2 THE COURT: Okay, thank you very much. I missed the
3 years. I got that. Okay.

4 Let me pause there for a second and go back to
5 Ms. Finken.

6 Mr. Parker is there for roughly a two-year period when
7 they are manufacturing. Is that really the limitation of what
8 you want to ask about, the manufacturing processes during that
9 two-year time period?

10 MS. FINKEN: Your Honor, I do not know that the two
11 years is an accurate date. I would have to be relying on Mr.
12 Sachse's submission. I know, as of yesterday, his previous
13 version had dates in error on the dates of employment of some
14 of the employees. I cannot comment on whether that's the time
15 frame.

16 The role is what we are interested in, and what his
17 role was at the Zebulon manufacturing facility where they were
18 manufacturing for the U.S. market. He was in quality
19 assurance, I believe, and the same with Ms. Cochlan, she had a
20 role during that time frame manufacturing Zantac in the Zebulon
21 facility.

22 Mr. Watts, obviously, was supposed to be here, but he
23 was delayed. We have not, to my knowledge, taken any
24 depositions of anyone from the Zebulon facility at this point.
25 We have taken some 30(b)(6) witnesses who have touched on some

1 questions about Zebulon, but we have not taken any witnesses
2 from the Zebulon manufacturing facility. These are the first
3 two, I believe, that we have teed up to do that.

4 *THE COURT:* Okay. Looking to those two depositions
5 and trying to understand what you are asking for, you have
6 taken a general 30(b)(6) about general manufacturing processes,
7 storage, transport, things of that nature.

8 So, your position is here, this is sort of a more
9 narrowed geographically specific drilling down on whether those
10 general procedures were followed at the Zebulon facility, if
11 there were deviations from them, what were they, what records
12 are kept at the Zebulon facility specifically, things like
13 that?

14 *MS. FINKEN:* Yes, correct, your Honor. There were
15 multiple manufacturing facilities globally that GSK used for
16 Zantac that was ultimately marketed in the United States. We
17 took a general 30(b)(6) on some of these issues.

18 These deposition notices are specific to the Zebulon
19 facility, that is correct.

20 *THE COURT:* You said there are other facilities. Have
21 you done that sort of drilled down deposition for any of the
22 other facilities?

23 *MS. FINKEN:* We haven't done specific ones to the
24 other individual facilities. We are doing it because it is the
25 one that is based in the United States and we wanted to nail

1 that down. They have been manufacturing there since 1984, so
2 long time manufacturing the product for the United States
3 market. And the other facilities, one is in Singapore, they
4 are all over the place, but this is the one that we wanted to
5 really drill on because of the long time frame that it was
6 manufacturing for the U.S. market.

7 *THE COURT:* These are facts depositions, not 30(b)(6),
8 so these witnesses are not required to educate themselves on
9 anything they do not already have knowledge of; is that
10 correct?

11 *MS. FINKEN:* Correct.

12 *THE COURT:* Let me turn back to Mr. Sachse. Why is
13 that unduly burdensome or problematic, to prepare those fact
14 witnesses by the end of January, early February?

15 *MR. SACHE:* Two things. I will start with Mr. Parker.
16 The reason they want his deposition, there is one document, or
17 maybe it's a series of documents, relating to an audit of Dr.
18 Reddy's and they have already asked several other witnesses
19 about this document, about how to interpret it.

20 Mr. Parker, as somebody who is coming in in mid 2015,
21 is kind of low man on the totem pole, and doesn't add anything
22 to this. So, the kind of cost burden analysis here, given how
23 much time we have before the close of discovery, it just
24 doesn't make any sense to us that Mr. Parker should be on this
25 list.

1 Ms. Cochlan is somebody who -- you know, she is the
2 site director of the Zebulon facility, but as you know, your
3 Honor, the Zebulon facility stopped making Zantac a few years
4 ago.

5 And I think also lost in the shuffle -- and I have
6 been raising this issue for months and months and months and
7 months with the Plaintiffs. They have spent an inordinate
8 amount of discovery time focusing on the Zebulon facility,
9 contrary to what Ms. Finken is saying, and what product was
10 manufactured, where the API came from in this 2010 to 2017 time
11 period. They have taken a lot of depositions on that, a lot it
12 related to when GSK switched from manufacturing its own API to
13 out sourcing that manufacture. They have got many, many
14 depositions on this.

15 This is a period where vanishingly few pills are being
16 made in the Zebulon facility and I have asked the Plaintiffs
17 repeatedly, tell me if you have any Plaintiffs in this
18 litigation who took Zebulon Zantac into 2013, 2014, 2015, 2016,
19 2017. They haven't identified anybody.

20 So, again, when you look at the balance here, these
21 depositions just don't make sense from that perspective.

22 The last point I want to make on these is,
23 Ms. Finken -- I saw for the first time yesterday that
24 apparently they have an issue with our 30(b)(6) witness who
25 testified in July, never said anything about that before

1 yesterday in a submission I only saw as it was emailed to the
2 Court. That is news to me.

3 The witness was asked dozens of questions about
4 Zebulon, and answered those questions, and so, I think that for
5 both 30(b)(6) issues that we are talking about and for these
6 specific current employees related to Zebulon, they have
7 already got the evidence that they need, they don't need these
8 depositions.

9 *THE COURT:* Okay. Well, you keep saying the burden,
10 the burden. Help me, what is the burden? How hard is it to
11 sit down with the witness and prepare them and say, testify to
12 what you remember, if you don't remember anything else, say you
13 don't remember? These are not 30(b)(6) witnesses.

14 *MR. SACHE:* I hear you, but there is also collecting
15 their custodial files, which we have begun. We have to review
16 those, we have to produce those. We have to talk to these
17 witnesses and prepare them to sit for these depositions.

18 Mr. Watts' view of the world is, just bring them in
19 and I will ask them questions, but Mr. Watts asks very unfair,
20 misleading, misrepresentative questions, so we have to prepare
21 the witnesses.

22 That is our obligation, to defend our client, and it
23 is not as simple as saying, well, they will be back in the
24 office on January 10, meet with them once on January 11, and
25 let's line them up for deposition on January 12. That is just

1 not the way this process works. It is going to take time for
2 us to get those custodial files, produce them, review them,
3 review with the witness, all of that.

4 *THE COURT:* I thought we had crossed the custodial
5 production bridge a year ago. Help me out here. Why are we
6 still doing this?

7 *MR. SACHE:* Because these are new custodians who they
8 just identified.

9 *MS. FINKEN:* Your Honor, the way we have been handling
10 this is, if we have witnesses that we identify from the
11 documents that we want to take depositions of, and we notice
12 the depositions, we do a request for the custodial file with
13 the notice of deposition, and that is in PTO 54.

14 And those are produced within a certain time frame of
15 the deposition for those that we don't have custodial files on.
16 So, this is nothing new that is being asked, and these
17 witnesses -- first, I will object to Mr. Sachse's
18 characterization of the duplicative nature of the questioning,
19 and to Mr. Watts' actual questioning, because I obviously
20 disagree with that.

21 What I can tell you, your Honor, despite there being
22 some questioning of global witnesses about Zebulon, we have not
23 taken any depositions of any witnesses who actually worked at
24 Zebulon. These are it, these are the two employees that we
25 chose from Zebulon, and they are two 30(b)(6)s that we teed up

1 specifically, and the API.

2 For what it is worth, your Honor, just for factual
3 background for you, GSK was not manufacturing the API at
4 Zebulon, they were manufacturing it in Singapore and then
5 shipping it to Zebulon, and Zebulon was doing the finish dose
6 manufacturing and packaging and whatnot.

7 So, we are now honing in on Zebulon and the employees
8 there and witnesses there who have first-hand knowledge of
9 Zebulon, and 30(b)(6) notices directed towards that. It is not
10 duplicative.

11 *THE COURT:* You made clear that is your position. How
12 do you respond, though, to Mr. Sachse's point that you notified
13 them on December 10th that you want these people, they do have
14 to then go and pull the custodial file, they have to review the
15 custodial file, they need to review the custodial file and prep
16 the witness, and particularly with the Christmas and New Year's
17 holidays, that just really doesn't accord enough time to do
18 what they need to do.

19 They have to get these custodial files -- refresh my
20 memory, is it ten days ahead of the deposition, two weeks
21 ahead? What is the deadline?

22 *MR. SACHE:* I think it's best effort is 21 days, but
23 in no event fewer than --

24 *MS. FINKEN:* 15.

25 *MR. SACHE:* Right.

1 *MS. FINKEN:* Just to make it complicated.

2 *THE COURT:* Assume you set the deposition for the very
3 last day of discovery, January 24th. They have to get you the
4 custodial file by January 10th, which is a Monday, and you
5 notified them 30 days before that with the Christmas holiday in
6 between. How do you respond to that, that that doesn't give
7 them enough time to do what they, as responsible lawyers, need
8 to do?

9 *MS. FINKEN:* I hear you, your Honor, and I understand
10 Mr. Sachse's concerns. We have a lot to do between now and the
11 close of discovery as well over the holiday. That is why we
12 are willing to work with Mr. Sachse on the dates and we are
13 willing to work with him on the production.

14 We have never had a problem with this in the past. We
15 have been very flexible and Michael has dealt with Will I think
16 very fairly and flexibly about when custodial files are
17 produced and when depositions will take place. We have always
18 worked out the dates mutually, we notice them up, and we
19 reschedule them based on a date that's convenient for the
20 witness, and we have worked together to do that.

21 *THE COURT:* I know you have, except today you haven't,
22 and you are in front of me and you are asking me to make these
23 decisions. I can't make these decisions on the assumption that
24 I can extend it past January 24th, and you all will just agree
25 to it, because nobody has to agree to that, or that somebody

1 will agree to produce the custodial file outside the time
2 limits that Judge Rosenberg has ordered. I can't work on that
3 assumption. I have to work on the assumption that the rules
4 that everyone has agreed to apply.

5 *MS. FINKEN:* I understand, your Honor. I would
6 certainly be willing to go to the shorter end of the production
7 of the custodial files, to the extent there are any.

8 I don't know that Mr. Sachse -- we requested these
9 depositions December 10th, we just received notice of the
10 objection to them at the end of last week. I would hope at
11 this point, with two weeks in, that they have started to at
12 least look to see what is there and the size of those potential
13 custodial files and what we are dealing with here before the
14 company shut down for the Christmas holiday.

15 I have not heard Mr. Sachse -- whether or not they
16 have actually done that. I would hope that they have. But we
17 are certainly willing to work with him on the production of the
18 custodial file, and if we had it two weeks in advance, I think
19 that would give us enough time to get it reviewed and get the
20 deposition done.

21 *THE COURT:* Mr. Sachse, do you have a sense of the
22 volume -- at least for the current employee witnesses, do you
23 have a sense of the volume of the custodial files, and are
24 those files that, even though the company is shut down, you or
25 your co-counsel have on some sort of litigation review

1 platform so you can continue to review them while the company
2 is shut down, or are you dependent upon the company coming back
3 up before you can even access those files?

4 MR. SACHE: I don't have much in the way of detail. I
5 can tell you that when we got these requests, even though,
6 contrary to what Ms. Finken is saying, we got the request and I
7 said we object -- she apparently thought that was a joke, I
8 don't know why.

9 We then immediately took steps to start kind of the
10 harvesting, as it were, the collection process. That's taking
11 the files out of the electronic system at GSK, getting them on
12 to the review platform. I believe that has now been done. I
13 do not think review has started, but I think the processing is
14 underway of those files in the review platform.

15 THE COURT: Okay. All right. Thank you.

16 Let me put those two witnesses to the side for a
17 second because at some level I have to make a holistic
18 decision, we have to decide what -- at some point I may ask
19 Ms. Finken to prioritize. If I can only give you a few, which
20 ones would you take first? But I am not there yet. I am
21 forewarning you that question may be coming.

22 We talked a little bit about the former employees.
23 Okay. So, talk to me now, Mr. Sachse. What is the objection
24 on the 30(b)(6) other than you think it is duplicative? If it
25 is somewhat duplicative, but more narrowed, can the same

1 witness who was previously prepped to be the 30(b)(6) witness
2 on these topics be used again and simply just drill down on the
3 sub universe that has to do with Zebulon or is your position
4 you have to start from scratch?

5 *MR. SACHE:* I think to some extent we would have to
6 start from scratch -- not from scratch, because the witness was
7 prepared to discuss the Zebulon facility, but the witness is a
8 scientist who is resident in Scotland. The deposition was
9 several months ago, and if he is anything like me, you have
10 that kind of mind wipe after you finish a big task like that.

11 He was somebody who did not work directly in Zebulon,
12 but learned what he needed to know about the Zebulon supply
13 chain because it was absolutely called for in the notice that
14 he was put up to testify about and, as I said, he was asked
15 those questions.

16 So, this is not a situation likely where we would go
17 back to that witness in January and say, hey, you need -- we
18 need to sit for another deposition. We would probably have to
19 find another witness.

20 *THE COURT:* In theory -- again, you get to pick the
21 witness you want, but in theory, couldn't you designate either
22 Ms. Cochlan or Mr. Parker -- is it Ms. or Mr. Parker? I don't
23 know.

24 *MR. SACHE:* Mr. Parker.

25 *THE COURT:* Mr. Parker. To the extent Ms. Finken is

1 telling me that the focus of the deposition is not general
2 supply chain or general manufacture, it is going to be how were
3 things operating at the Zebulon facility, is there an overlap
4 there that might bring an efficiency to allow you to do both?

5 For example, if Ms. Cochlan was the site manager,
6 presumably she could sit once in both her individual capacity
7 and a partial 30(b)(6), couldn't she?

8 MR. SACHE: Well, I suppose she could, but it is our
9 position the Plaintiffs have had the opportunity to and have
10 asked these questions already about Zebulon. This is a
11 complete do over, end of story. It is a do over.

12 THE COURT: To the extent it is a 30(b)(6) deposition,
13 you are going to have the same authority I always give, which
14 is, if you think it is an improper question because it is
15 cumulative or duplicative, you can instruct your witness not to
16 answer it and you will take your chances with me after the
17 fact.

18 Right now I don't have a transcript of the prior
19 deposition, so I have no way to determine whether it is
20 duplicative or not until I see the prior transcript and I see
21 the current transcript. We have dealt that way throughout this
22 litigation. I hear you, but I don't necessarily find that
23 compelling at this stage.

24 MR. SACHE: Sure. Let me push back on that, because
25 if the rule is we, the Plaintiffs, can serve a 30(b)(6) notice,

1 I don't remember how many topics it was for this one, but let's
2 say 20, and we go and we take that deposition and we make
3 strategic decisions about the questions that we are going to
4 ask and the questions we are not going to ask, and the witness
5 is sitting there and prepared to answer, the rule is, it is a
6 one-day deposition.

7 And they didn't at that deposition say, hey, you know,
8 even though you just gave us a chart, and I am holding it up
9 now, even though you gave us a chart at this deposition, or
10 before this deposition that shows Zebulon and the fact that
11 Zebulon was part of the supply chain for 30 years, we chose not
12 to ask those questions and we need to reserve time, or we need
13 more time. They didn't do that.

14 We finished that deposition, they asked their
15 questions about Zebulon, and now they have served a duplicative
16 notice asking like verbatim the same topics, but instead of
17 saying you, meaning GSK, it says Zebulon. So they have had
18 their chance on this.

19 *THE COURT:* Ms. Finken, let me ask you to respond to
20 that. It seems a 30(b)(6) deponent is the company, it's GSK.
21 You already got to take a storage and transport and
22 manufacturing 30(b)(6) deposition of GSK. Why aren't you out
23 of time?

24 *MS. FINKEN:* Your Honor, just to be clear, we took a
25 global 30(b)(6) deposition about shipping and storage. That

1 was not specific to Zebulon. Just because Zebulon might have
2 been mentioned in it a couple of times does not mean the crux
3 of the deposition was about Zebulon. There were multiple
4 questions, and I don't have references in front of me, where
5 the witness was unable or unprepared to answer those questions,
6 and that is fine. We are honing down here, and it is important
7 for several reasons.

8 One, Zebulon manufactured up until the tail end of
9 when this litigation -- when GSK stopped manufacturing product
10 for the U.S. market. There was product manufactured there for
11 the U.S. market that would have been, should have been stored
12 up through and retained for this litigation that was destroyed
13 in May of 2020, that we are entitled to ask about.

14 There are supply chain issues from different API
15 manufacturers that go into that facility, and frankly, your
16 Honor, we have not even had a meaningful meet and confer about
17 this. When we asked Mr. Sachse on email what was the basis for
18 his objection, he said, I will tell the judge. That was his
19 response.

20 There was no discussion about it. We didn't even know
21 why he was objecting to these depositions until we received his
22 submission yesterday.

23 *MR. SACHE:* No. Well, Ms. Finken, that's not true.

24 *THE COURT:* Hold on. Hold on. Hold on.

25 Ms. Finken, as I said, the deponent is GSK, and the

1 Court authorized a storage, transport, and separate
2 manufacturing deposition of GSK. That deposition was taken.

3 To the extent you are saying to me we tried to take
4 that deposition and there were questions that we asked and the
5 witness was not prepared to ask, I think it is fair game to
6 come back to the Court and say we should get some additional
7 time to get those questions answered. They were proper
8 questions, they have not been properly objected to, and we are
9 entitled to answers. We want to reopen that deposition to get
10 those answers.

11 I think it is also fair game to come back to the Court
12 and say, after we took that deposition they produced other
13 materials which, had we known about it, we would have asked
14 about, and then I can evaluate that.

15 Mr. Sachse is not making an incorrect point when he
16 says, look, if you knew about it at the time -- granted, you
17 only have a limited number of hours -- but you chose not to ask
18 about Zebulon and you could have, why should you get to reopen?
19 Can you help me figure out where we are on this?

20 MS. FINKEN: Your Honor, you took the words right out
21 of my mouth actually. There have been documents produced since
22 then that affect this issue, one hundred percent. We didn't
23 know the product was destroyed at the time that that deposition
24 was taken, that just came to light in October, and there is
25 still ongoing document production that we are getting every

1 day. We just had a production on Monday of this past week that
2 revealed new information that we were unaware of previously.

3 It is an ongoing iterative process. To the extent
4 that there is additional information that comes to light that
5 we want to question them about specific to the Zebulon
6 facility, we believe that it is fair and appropriate to tee
7 those up. Discovery is still ongoing, it is not going to be
8 duplicative. If we need to sit down and discuss the scope with
9 Mr. Sachse in advance so that it is not duplicative, we will.

10 These are issues that are critical to our case, they
11 are critical to the supply chain for the United States. These
12 are fact witnesses and company witnesses that are specific to
13 the U.S. market and to a specific question as to how that
14 manufacturing facility maintained and distributed and supplied
15 Zantac to our clients in the United States, and they did it for
16 almost 40 years.

17 So, to the extent that it is not duplicative, we think
18 it is an appropriate use of our deposition time. The discovery
19 deadline has not passed. If Mr. Sachse believes it is
20 duplicative once the deposition moves forward he can certainly
21 object on that basis.

22 *MR. SACHE:* And we'll seek costs. Discovery has to
23 have limits, and what we are dealing with now is, they just
24 keep pushing and pushing, more and more discovery, putting us
25 in a position where, how can we get this all done in the next

1 month? We cannot. They have had their chance on Zebulon.

2 *THE COURT:* Okay. I have heard you both, I am
3 prepared to rule on this issue. Here is my ruling.

4 Any deponent in a case gets deposed once and there is
5 a time limit, that is what the rules say. In this case, there
6 was an authorized deposition that would have allowed
7 questioning about this topic from GSK.

8 Really what I hear -- the way I am interpreting the
9 Plaintiffs' request here and the way I am going to treat it, it
10 is not that they get a new, separate, freestanding deposition
11 because they just want to ask some more questions because they
12 want to. It is there were either topics for which the witness
13 could not answer at the prior deposition, or there are newly
14 discovered materials which raise questions that could not have
15 been asked at the prior deposition.

16 I think those are fair game for a renewed deposition
17 or reopening of the 30(b)(6) deposition on storage, transport,
18 or manufacturing, whichever one they are reopening here. Okay.

19 I am going to order the Plaintiffs, if you are going
20 to claim that you are addressing newly discovered information,
21 you need to tell GSK with a fair amount of specificity exactly
22 what it is you are pointing to, what documents do you have,
23 what other deposition testimony, so that they can then prepare
24 their witnesses by saying, they are going to ask you about
25 these documents and these questions in somebody else's depo,

1 and they can focus in on it.

2 Likewise, if you are going to push back and say we
3 need to get answers to questions that couldn't be answered at
4 the first depo, you need to give them page and line of the
5 question so that they can prepare their witnesses.

6 Within those boundaries, I will allow the 30(b)(6)
7 deposition to go forward. I will leave it to you all to decide
8 anything beyond that as to production, time, custodial files,
9 anything else.

10 Within those limited parameters, I will allow the
11 deposition to go forward, and I will reiterate what I have said
12 previously, which is that if GSK in the live stream of the
13 deposition believes the question is inappropriate, either
14 cumulative, outside the bounds of what I prescribed, or
15 otherwise, you may instruct the witness not to answer.

16 I will review the transcript afterwards and I will
17 rule, and whatever remedies are available at that point, I will
18 assess those remedies. That is how we will deal with the
19 30(b)(6) witnesses.

20 *MR. SACHE:* Your Honor, I'm sorry, before we move on,
21 because I think we have been focusing on the -- I will resist
22 the urge to characterize it -- the Zebulon notice, there is a
23 second 30(b)(6) asking for a witness knowledgeable about
24 degradation of API, and we have previously produced witnesses,
25 both fact and 30(b)(6) witnesses, on that topic.

1 I just want to make sure that the ruling is clear, and
2 I didn't hear anything specifically about that notice. Are we
3 just proceeding on the one notice, the Zebulon --

4 *THE COURT:* Okay. So, Ms. Finken, I will give you the
5 chance, it is your notice, tell me what it is the other notice
6 is asking for.

7 *MS. FINKEN:* The other notice is asking for a 30(b)(6)
8 deposition specific to API and degradation, which has not been
9 noticed before. It is a new 30(b)(6) notice and while there
10 may be fact witness testimony to it, there is not company
11 testimony regarding this on a broad scale, specific to Zebulon,
12 and that's what that deposition notice is about. It is not
13 duplicative.

14 Frankly, in my view, neither of them are duplicative
15 of the prior ones that we have served, but that is Mr. Sachse's
16 argument that he is making. If we thought it was duplicative,
17 we have a list -- I think this is an important point to make,
18 we have a list of deponents that we would love to take. We are
19 being very selective in how we are using these depositions.

20 So, it is not that we are, you know, trying to take
21 duplicative testimony. There are another 20 witnesses that, if
22 we could, we would take their depositions. Obviously Mr.
23 Sachse would object, it would be beyond the soft cap
24 limitations under PTO 54.

25 We are asking specifically to target very specific,

1 narrow areas of focus that we do not believe that we could --
2 were either included in prior deposition notices or that we
3 could have covered in other depositions. We are trying to fill
4 in the gaps at the end of this case on where we need
5 information. That is what we are trying to do.

6 *THE COURT:* I understand that. The question is not
7 whether they were included in the prior deposition notices; the
8 question is could they have been, and could they have been
9 asked about at the prior deposition. If the answer is no,
10 because we didn't know about it until something that happened
11 after the deposition, I think that is different from we only
12 had ten hours, we had to make strategic decisions about what to
13 ask about, and we, at that point, chose not to ask about
14 Zebulon, that is a different discussion.

15 If that's where you are and you are asking me now to
16 allow you to have additional time to take a deposition on new
17 topics, that is a different question from we have newly
18 discovered evidence, we want to take the deposition.

19 Look, in every case we would love to have unlimited
20 time to question every deponent to the end of time, but the
21 rules don't allow for it. The rules put time limits on things
22 or the rules cap discovery. This is not a perfect process and
23 it is not a comprehensive process. You have to make choices
24 and you're stuck at some level with the choices you have made.

25 That is what I am trying to understand, Ms. Finken, so

1 help me out.

2 MS. FINKEN: Your Honor, that is exactly what we have
3 tried to do. So the deposition that was taken previously was a
4 broad deposition covering the manufacturing facilities over 40
5 years. There is a lot to cover on that type of deposition over
6 a global product that has been recalled, and trust me, it is a
7 lot.

8 What we are trying to do here -- and we are not
9 planning on doing 30(b)(6) deposition notices that are narrowed
10 and honed in on other manufacturing facilities, we are doing it
11 on this one. It is not duplicative of what has been done. It
12 is narrowing the focus on to this specific facility and doing
13 more of a deep dive into questions about that facility
14 specifically, documents that have been obtained since then,
15 information that has been obtained since then, and we are
16 really trying to fill the gaps, your Honor, in where we believe
17 we need testimony before the close of discovery.

18 This is something that has been a very thoughtful
19 process that we have undertaken by Mr. Watts, by myself, by our
20 entire team. We have looked at the deposition testimony that
21 has been taken, we are trying to figure out where we still need
22 to cover items before the close of discovery, and like I said,
23 we have been very selective.

24 If I had my Christmas wish list here, there are at
25 least another 25 or so witnesses that I would love to take

1 depositions of, but I understand that we are not going to be
2 able to do that.

3 That is why I am shocked that Mr. Sachse is making
4 these types of objections at the 11th hour when we are trying
5 to finish up this case and close it out before discovery ends.
6 That is what we are trying to do.

7 *THE COURT:* I understand. I am going to apply the
8 same ruling, because I think I have to balance a number of
9 factors.

10 One is that we have a limited amount of time. Whether
11 I wanted to let you take an expansive deposition or not, there
12 is a limited amount of time. I have to give GSK a fair amount
13 of time to prepare the 30(b)(6) witnesses and all that. I am
14 going to apply the same standard to the request -- I am just
15 going to call it the API 30(b)(6) deposition -- is if the
16 Plaintiffs can identify evidence that came to their attention
17 after the prior deposition such that they could not have
18 inquired about those topics at the prior deposition, I will
19 allow that.

20 If there were prior questions asked at the prior
21 deposition that were not answered, and the witness was not
22 prepared to answer, the Plaintiffs can explore those areas as
23 well.

24 Beyond that, I am not going to let the Plaintiffs to
25 either go back over something that they could have fairly asked

1 about at the prior deposition, or that was asked about at the
2 prior deposition, even if it was at a higher level.

3 That will be my ruling as to that, and again, I would
4 require the Plaintiffs to give GSK a fair amount of specificity
5 as to what questions you are going to drill down on and what
6 newly discovered evidence you are going to rely on.

7 That will be my ruling as to the 30(b)(6).

8 *MR. SACHE:* Your Honor, sorry, one other point. What
9 I heard Ms. Finken say is that this is about API degradation as
10 it relates to the Zebulon facility, and she says that she was
11 not able to get that discovery before.

12 I am not going to re-argue it, but I want to make sure
13 the record is clear that that is what they are asking for here
14 with respect to this API degradation.

15 *THE COURT:* To be clear, let's be fair and clear, I
16 haven't seen the deposition notice. I am not limiting the
17 scope of anything that may be in that deposition notice. I am
18 going to leave it to Ms. Finken in the first instance to say
19 these are the things that are in the notice that we think are
20 fairly within the rulings the Judge just made.

21 You all can talk about it, fight about it, talk about
22 it with the special master, but come to some resolution, and
23 whatever resolution that is, Ms. Finken has to give eye level
24 specificity to the Defense. Then, if you think she is being
25 overly broad, Mr. Sachse, at the deposition, you can object.

1 But I am not going to today try to limit what I have
2 rule on because I haven't seen the deposition notice. I
3 appreciate your attempt to clarify or narrow it, but I am going
4 to overrule that clarification.

5 MR. SACHE: Okay.

6 THE COURT: Thank you. That is as to those.

7 As to the current witnesses, Ms. Cochlan and Mr.
8 Parker, I would allow those depositions to go forward, but I
9 want -- but they will be secondary to the 30(b)(6) depositions
10 that I just authorized.

11 If in good faith GSK simply cannot get it done, cannot
12 produce the custodial records, cannot prepare their witnesses
13 and this can't be done, then it can't be done. I will allow
14 Plaintiffs to come back -- if they get notice from the Defense
15 that we are pulling the plug, we are not going to agree to
16 extend, which they don't have to agree to, and we are not going
17 to be ready, if Plaintiffs think they are game playing or not
18 acting in good faith, I will revisit that, but conceptually I
19 would allow those depositions to go forward.

20 As to the former employees, I don't know that I am in
21 a position to rule on that until somebody reaches out to them,
22 somebody serves them, and we get a sense of whether they are
23 going to fight it or not. They have every right to hire their
24 own lawyers and file an objection in wherever they may be,
25 Canada, California, the Caribbean, wherever.

1 I think it is premature for me to rule as to whether
2 those depositions can go forward other than to say, follow
3 whatever procedures you have used in the past, either have GSK
4 serve them -- serve as in get it to them, I don't mean formally
5 serve -- or the Plaintiffs can formally serve the deposition
6 notices and we will let that process play out.

7 Ms. Finken, I will throw it to you, but that is my
8 inclination. I don't know how I can rule on that until I know
9 what their position is.

10 *MS. FINKEN:* We appreciate that, your Honor, and I
11 don't know that Mr. Sachse knows what the witnesses' positions
12 are because he never reached out to them, because they are just
13 objecting to the depositions for the sake of objecting. So, I
14 think that that is fair.

15 I am sure if the witness is unavailable, or even
16 deceased, we don't know -- sometimes we have been requesting
17 them and it turns out that they are deceased -- we will work
18 with Mr. Sachse to figure that out. If we can't, we will come
19 back to you, your Honor.

20 *THE COURT:* Okay. Listen, the two of you work very
21 well together, and have worked with me for over a year and a
22 half now. He is not objecting just for the sake of objecting,
23 and Ms. Finken is not making gratuitous remarks. Let's keep
24 the level of dialogue at a civilized level here.

25 Mr. Sachse, for whatever reason, has a principled

1 objection. You may not agree that he has a principled
2 objection. Ms. Finken is in good faith asking for materials
3 that she thinks she is entitled to. You may not agree she is
4 entitled to them. Let's all try to keep the dialogue at the
5 level that we have kept it at up until now.

6 I am going to defer any ruling on -- I will deny -- I
7 am going to defer any ruling on the request to compel the
8 depositions of the former employees, pending either side
9 getting further information. As soon as you get that further
10 information, I will get you right back in front of me.

11 We have an open-ended date on January 5th for open
12 discovery questions, so if you want to throw that on the agenda
13 on January 5th, I will rule on it at that time. If you are
14 able to obtain that information between now and then and you
15 want to see me next week, I will be working next week.

16 I hope you all are taking next week off, and I am not
17 suggesting you have to work, but if you want me next week, I am
18 here next week and I will make myself available.

19 *MS. FINKEN:* I am working as well.

20 *THE COURT:* It could have been worse, the discovery
21 cutoff could still be next Thursday.

22 So, all right, those will be my rulings today.

23 Ms. Finken, without waiving any objection you may have
24 to the rulings I made, any other topics you want to raise or
25 any issues that you wanted to raise that I haven't addressed?

1 *MS. FINKEN:* No, your Honor, I don't believe so.

2 *THE COURT:* Thank you. Mr. Sachse, without waiving
3 any objections you may have, any other issues you wanted to
4 raise today?

5 *MR. SACHE:* No, your Honor, other than to hope that
6 you get some time off, even though you will be working next
7 week. The rest of us will be working, but I hope you get some
8 time.

9 *THE COURT:* Thank you, I appreciate that. I always
10 volunteer to take criminal intake duty the week between
11 Christmas and New Year because I don't celebrate Christmas and
12 my colleagues do, so I think that is just the collegial thing
13 to do.

14 So I will be here next week dealing with some warrants
15 and arrest and things of that nature, but I always have time
16 for you. The MDL is always high on my priority list.

17 *MS. FINKEN:* I hope you have a happy New Year, your
18 Honor, and we will see you January 5th.

19 *THE COURT:* To everybody on the call and to all of
20 your colleagues, please, on behalf of Judge Rosenberg and me
21 and the entire court staff, I want to wish everyone who
22 celebrates Christmas a Merry Christmas, wish everyone a happy
23 and safe New Year. Hopefully we will all be able to see each
24 other in person sometime in January, and that Omicron blows by
25 before then.

1 With the Court's best wishes, we will be in recess.
2 Thank you, everybody.

3 MS. FINKEN: Thank you, your Honor.

4 MR. McGLAMRY: Thank you, your Honor.

5 *(Thereupon, the hearing was concluded.)*

6 * * *

7 I certify that the foregoing is a correct transcript
8 from the record of proceedings in the above matter.

9
10 Date: December 26, 2021

11 /s/ Pauline A. Stipes, Official Federal Reporter

12 Signature of Court Reporter
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Pauline A. Stipes, Official Federal Reporter

MR. McGLAMRY: [2] 10/7 39/3 MR. SACHE: [23] 2/11 3/4 3/20 3/25 4/3 10/23 11/22 14/14 16/13 17/6 18/21 18/24 21/3 22/4 22/23 23/7 23/23 25/22 27/21 29/19 34/7 35/4 38/4 MS. FINKEN: [23] 2/6 2/9 6/14 10/4 10/8 12/9 13/13 13/22 14/10 17/8 18/23 18/25 19/8 20/4 24/23 26/19 30/6 32/1 36/9 37/18 37/25 38/16 39/2 THE COURT: [39] 1/23 2/8 2/10 2/13 3/15 3/23 4/1 6/12 8/14 10/18 11/4 12/1 13/3 13/19 14/6 14/11 16/8 17/3 18/10 19/1 19/20 20/20 21/14 22/19 22/24 23/11 24/18 25/23 28/1 30/3 31/5 33/6 34/14 35/5 36/19 37/19 38/1 38/8 38/18	2924 [1] 2/2 2929 [1] 1/19 3 30 [41] 300 [1] 1/15 300-milligram [1] 11/25 30326 [1] 1/16 3391 [1] 1/15 35 [5] 4/8 6/18 9/3 9/7 9/13 4 40 [2] 27/16 32/4 4000 [1] 1/20 404-523-7706 [1] 1/16 5 54 [6] 4/6 8/18 9/10 9/14 17/13 30/24 5th [3] 37/11 37/13 38/18 7 7706 [1] 1/16 772.467.2337 [1] 1/23 A able [4] 33/2 34/11 37/14 38/23 about [56] above [1] 39/8 Absent [1] 8/25 absolutely [1] 22/13 access [1] 21/3 accommodate [1] 7/16 accord [1] 18/17 according [1] 10/13 accurate [2] 11/9 12/11 acting [1] 35/18 action [3] 4/13 4/13 4/20 actions [1] 9/5 actual [1] 17/19 actually [5] 6/11 8/8 17/23 20/16 26/21 add [1] 14/21 adding [1] 5/24 additional [6] 2/4 4/12 10/14 26/6 27/4 31/16 address [1] 6/15 addressed [1] 37/25 addressing [1] 28/20 advance [2] 20/18 27/9 affect [1] 26/22 after [7] 9/19 10/23 22/10 23/16 26/12 31/11 33/17 afternoon [5] 2/1 2/9 2/10 2/13 2/14 afterwards [1] 29/16 again [4] 15/20 22/2 22/20 34/3 agenda [1] 37/12 ago [4] 4/9 15/4 17/5 22/9 agree [12] 9/25 9/25 10/21 10/22 10/25 19/24 19/25 20/1 35/15 35/16 37/1 37/3 agreed [3] 3/12 11/10 20/4 agreement [4] 8/25 10/3 10/14 11/2 agreements [1] 10/10	agrees [2] 11/6 11/7 ahead [2] 18/20 18/21 all [23] 2/18 3/15 4/16 5/2 6/16 7/3 8/16 8/18 9/16 11/9 14/4 17/3 19/24 21/15 27/25 29/7 33/13 34/21 37/4 37/16 37/22 38/19 38/23 allocated [2] 9/4 9/7 allow [9] 23/4 29/6 29/10 31/16 31/21 33/19 35/8 35/13 35/19 allowed [2] 11/4 28/6 allowing [1] 11/2 almost [3] 3/11 11/23 27/16 along [1] 8/4 already [6] 11/24 14/9 14/18 16/7 23/10 24/21 also [6] 4/17 4/19 5/12 15/5 16/14 26/11 always [7] 8/13 8/14 19/17 23/13 38/9 38/15 38/16 am [38] 4/25 6/6 6/11 8/11 8/18 8/19 8/21 8/24 9/9 11/3 11/6 11/16 11/22 21/20 21/20 24/8 28/2 28/8 28/9 28/19 31/25 33/3 33/7 33/13 33/14 33/24 34/12 34/16 34/17 35/1 35/3 35/20 36/15 37/6 37/7 37/16 37/17 37/19 amount [6] 15/8 28/21 33/10 33/12 33/12 34/4 analysis [1] 14/22 Anapol [1] 1/11 another [6] 4/21 6/10 22/18 22/19 30/21 32/25 answer [8] 8/12 23/16 24/5 25/5 28/13 29/15 31/9 33/22 answered [4] 16/4 26/7 29/3 33/21 answers [3] 26/9 26/10 29/3 any [19] 3/7 3/17 8/12 12/23 13/1 13/21 14/24 15/17 17/23 17/23 20/7 28/4 37/6 37/7 37/23 37/24 37/25 38/3 38/3 anybody [1] 15/19 anyone [1] 12/24 anything [11] 5/24 8/4 14/9 14/21 15/25 16/12 22/9 29/8 29/9 30/2 34/17 API [10] 15/10 15/12 18/1 18/3 25/14 29/24 30/8 33/15 34/9 34/14 apparently [2] 15/24 21/7 appear [1] 3/13 appearances [1] 2/5 apply [3] 20/4 33/7 33/14 appreciate [4] 8/15 35/3 36/10 38/9 appropriate [2] 27/6 27/18 Arch [1] 1/19 are [121] areas [4] 7/25 8/2 31/1 33/22 aren't [1] 24/22 argue [1] 34/12 argument [1] 30/16 arguments [1] 4/3 arrest [1] 38/15
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