

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ AUG 17 2007 ★

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In re: ZYPREXA  
PRODUCTS LIABILITY LITIGATION

ORDER  
04-MD-1596

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

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In re: ELI LILLY & CO. SECURITIES  
LITIGATION

07-CV-1310

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JACK B. WEINSTEIN, Senior United States District Judge:

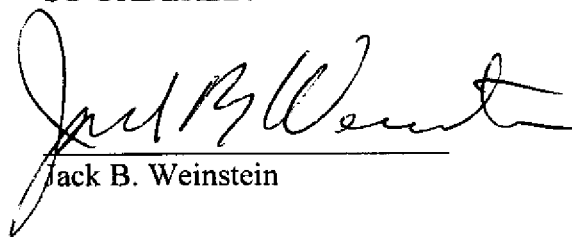
On August 3, 2007, the court ordered the parties to show cause why the extensive consolidated securities class action complaint filed in this litigation should not be unsealed. In a letter dated August 8, 2007, plaintiffs stated that they do not oppose unsealing of the complaint. Defendant Eli Lilly, in a submission dated August 10, 2007, requests that the court "order the filing of a redacted Consolidated Complaint, as was done in the Third Party Payor litigation, and refer any specific challenge to the confidentiality of Lilly documents to Special Master Woodin."

Lilly's request is granted. "Access to judicial proceedings and documents is necessary for federal courts to have a measure of accountability and for the public to have confidence in the administration of justice." *In re NBC Universal, Inc.*, 426 F. Supp. 2d 49, 51 (E.D.N.Y. 2006). In this case, documents cited within the complaint may contain trade secrets or confidential commercial information properly protected under subsection (c)(7) of Federal Rule of Civil Procedure 26. The filing of an unsealed complaint in which references to such confidential documents are redacted serves the twin purposes of allowing public access to information that affects many individuals and the operation of the securities markets, and protecting parties from

unnecessary disclosure of information which could cause them “annoyance, embarrassment, oppression, or undue burden or expense.” Fed. R. Civ. P. 26(c).

A redacted Consolidated Complaint is ordered filed, as in the related Third Party Payor litigation. *See UFCW Local 1776 v. Eli Lilly & Co.*, No. 05-CV-4115 (JBW); *Midwest Nat’l Life Ins. Co. of Tenn. v. Eli Lilly & Co.*, No. 05-CV-2948 (JBW); *Local 28 Sheet Metal Workers v. Eli Lilly & Co.*, No. 06-CV-0021 (JBW); *Sergeants Benevolent Ass’n Health & Welfare Fund*, No. 06-CV-6322 (JBW). Special Master Woodin shall unseal such redacted documents as need no longer be sealed and they shall thereafter be filed with the complaint.

SO ORDERED.



Jack B. Weinstein

Date: August 16, 2007  
Brooklyn, N.Y.