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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WENDY B. DOLIN Individually and as Independent Executor of the Estate of STEWART DOLIN, deceased,	}	No. 12 CV 6403
Plaintiff,		
vs.	}	Chicago, Illinois
SMITHKLINE BEECHAM CORPORATION D/B/A GLAXOSMITHKLINE, a Pennsylvania Corporation,		
Defendant.	)	9:20 o'clock a.m.

VOLUME 21 - CHARGE TO THE JURY  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE WILLIAM T. HART

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1 Appearances (continued:)

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(The following proceedings were had out of the presence of the jury in open court:)

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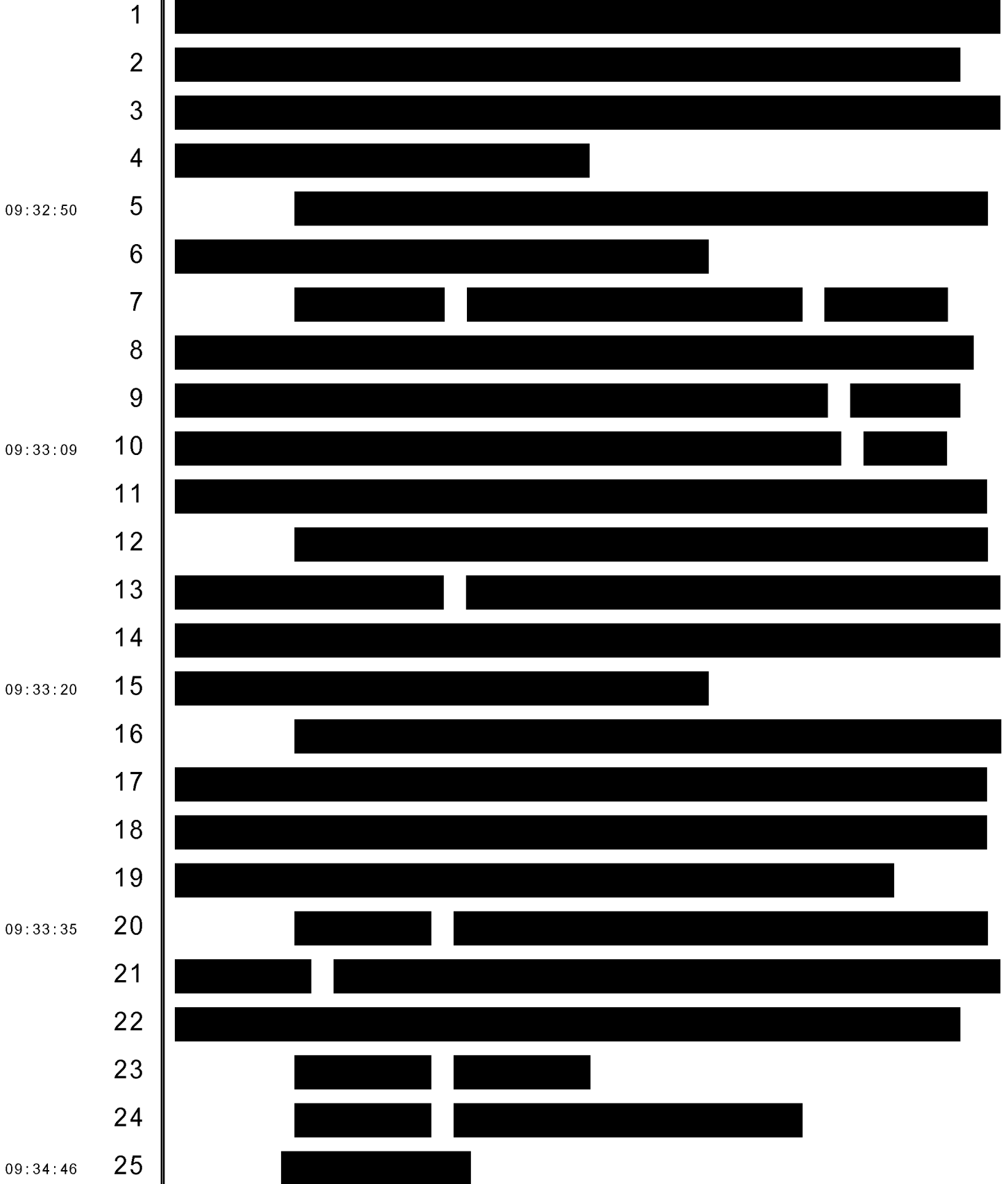
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[REDACTED] [REDACTED]  
(The following proceedings were had in the presence of the jury in open court:)

THE COURT: All right. Thank you very much, ladies and gentlemen. Please be seated. We will resume.

At this time I'm going to ask the deputy clerk to distribute to the members of the jury each a copy of the jury instructions.

(Jury instructions tendered.)

THE COURT: It's my practice to ask that you read along with me as I state the instructions. I believe that if we read and listen at the same time, we do -- we find it easier to pick up what's before us. And so I ask you then, if you will, as I state the instructions to read along with me.

Now, that's your copy of the instructions. You take it with you to the jury room. You may write on it. You may use it as you see fit. You may refer to it as you see fit during the course of your deliberations.

The marshal will accompany you to the jury room, and he will be with you at all times while you're deliberating. No person is permitted to talk to you about anything other than the matters of housekeeping. And so it is that we do everything possible to make it possible for you to deliberate without any interruptions.

If you have to consult with me in any way, it's only

1 by a written note, and I will make that clear to you in these  
2 instructions.

3 So please read along with me as I state the  
4 instructions:

09:36:42

5 Members of the jury, you have seen and heard all the  
6 evidence and arguments of the attorneys. Now I will instruct  
7 you on the law.

09:36:55

8 You have two duties as a jury. Your first duty is to  
9 decide the facts from the evidence in the case. This is your  
10 job, and yours alone.

11 Your second duty is to apply the law that I give you  
12 to the facts. You must follow these instructions even if you  
13 disagree with them. Each of the instructions is important, and  
14 you must follow all of them.

09:37:09

15 Perform these duties fairly and impartially. Do not  
16 allow sympathy, prejudice, or fear to influence you. You  
17 should not be influenced by any person's race, color, religion,  
18 national ancestry, or sex. You must give defendant, a  
19 corporation, the same fair consideration that you would give to  
20 an individual.

09:37:28

21 Nothing I saw now, and nothing I said or did during  
22 the trial is meant to indicate any opinion on my part about  
23 what the facts are or about what your verdict should be.

09:37:42

24 The evidence consists of the testimony of the  
25 witnesses, the exhibits admitted in evidence, and stipulations.

1 In this case, there were no stipulations.

2 Certain things are not to be considered as evidence.

3 I will list them for you:

4 First, if I told you to disregard any testimony or  
09:37:57 5 exhibit or struck any testimony or exhibits from the record,  
6 such testimony or exhibits are not evidence and must not be  
7 considered.

8 Second, anything that you may have seen or heard  
9 outside the courtroom is not evidence and must be entirely  
09:38:12 10 disregarded. This includes any press, radio, Internet or  
11 television reports you may have seen or heard. Such reports  
12 are not evidence and your verdict must not be influenced in any  
13 way by any such publicity.

14 Third, questions and objections or comments by lawyers  
09:38:26 15 are not evidence. Lawyers have a duty to object when they  
16 believe a question is improper. You should not be influenced  
17 by any objection, and you should not infer from my rulings that  
18 I have any view as to how you should decide the case.

19 Fourth, the lawyers' opening statements and closing  
09:38:43 20 arguments to you are not evidence. Their purpose is to discuss  
21 the issues and the evidence. If the evidence as you remember  
22 it differs from what the lawyers said, your memory is what  
23 controls.

24 During the trial, certain testimony was presented to  
09:39:00 25 you by the reading of depositions and by video depositions.

1 You should give this testimony the same consideration you would  
2 give it had the witness appeared and testified here in court.

3 In determining whether any fact has been proved, you  
4 should consider all the evidence bearing on the question  
5 regardless of who introduced it.

09:39:18

6 You should use common sense in weighing the evidence  
7 and consider the evidence in light of your own observations in  
8 life. In our lives, we often look at one fact and conclude  
9 from it that another fact exists. In law we call this an  
10 "inference." A jury is allowed to make reasonable inferences.  
11 Any inference you make must be reasonable and must be based on  
12 the evidence in the case.

09:39:33

13 Plaintiff Wendy Dolin brings this action in a  
14 representative capacity by reason of her being Executor of the  
15 Estate of Stewart Dolin, deceased. She represents herself,  
16 Zachary Dolin, and Bari Dolin, the widow and two adult children  
17 are the deceased. They are the real parties in interest in  
18 this lawsuit, and in that sense they are the real plaintiffs  
19 whose damages you are to determine if you decide for the  
20 Executor of the Estate of Stewart Dolin.

09:39:51

09:40:09

21 A corporation may act only through natural persons as  
22 its agents or employees. In general, any agent or employee of  
23 a corporation may bind the corporation by his or her acts and  
24 declarations made while acting within the scope of his or her  
25 authority delegated to him or her by the corporation or within

09:40:25



1 the scope of his or her duties as an employee of the  
2 corporation.

09:40:36

3           You must decide whether the testimony of each of the  
4 witnesses is truthful and accurate, in part, in whole, or not  
5 at all. You also must decide what weight, if any, you give to  
6 the testimony of each witness.

7           In evaluating the testimony of any witness, including  
8 any party to this case, you may consider among the following  
9 things:

09:40:53

10           The ability and opportunity the witness had to see,  
11 hear, or know the things that the witness testified about;  
12           The witness's memory;  
13           Any interest, bias, or prejudice the witness may have;  
14           The witness's intelligence;  
15           The manner of the witness while testifying;  
16           And the reasonableness of the witness's testimony in  
17 light of all the evidence in the case.

09:41:05

18           May have heard the phrases "direct evidence" and  
19 "circumstantial evidence." Direct evidence is proof that does  
20 not require an inference, such as the testimony of someone who  
21 claims to have personal knowledge of a fact.

09:41:20

22           Circumstantial evidence is proof of a fact or a series  
23 of facts that tends to show that some other fact is true.

24           As an example, direct evidence that it is raining is  
25 testimony from a witness who says, "I was outside and minute

09:41:37

1 ago I saw it raining."

2 Circumstantial evidence that it is raining is the  
3 observation of someone entering a room while carrying a wet  
4 umbrella.

09:41:48

5 The makes no distinction between the weight to be  
6 given either to direct or circumstantial evidence. You should  
7 decide how much weight to any evidence. In reaching your  
8 verdict, you should decide all the evidence in the case,  
9 including circumstantial evidence.

09:42:04

10 Witnesses were allowing to testify in part to  
11 statements that have not been admitted in evidence. This  
12 testimony is allowed for a limited purpose. It is allowed so  
13 that the witness may tell you what was relied on to form  
14 opinions. The material being referred to is not evidence in  
15 this case and may not be considered by you as evidence. You  
16 may consider the material for the purpose of deciding what  
17 weight, if any, you will give the opinions testified to by the  
18 witnesses.

09:42:18

19 You may consider statements given by a witness under  
20 oath or a party or agent of a party before trial as evidence of  
21 the truth of what the witness said in earlier statements, as  
22 well as in deciding what weight to give the testimony. For  
23 purposes of this instruction, Wendy Dolin, Zachary, and Bari  
24 Dolin are to be considered parties.

09:42:34

09:42:53

25 With respect to other witnesses who made statements,

1 the law is different. If you decide that, before the trial,  
2 one of these witnesses made a statement not under oath or acted  
3 in a manner that is inconsistent with his or her testimony here  
4 court, you may consider the earlier statement or conduct only  
5 in deciding whether the witness's testimony here in court was  
6 true and what weight to give that testimony.

7 In considering a prior inconsistent statement, or  
8 conduct, you should consider whether it was sympathy an  
9 innocent error or an intentional falsehood and whether it  
10 concerns an important fact or an unimportant fact.

11 You have heard witnesses give opinions about matters  
12 requiring special knowledge or skill. You should judge this  
13 testimony in the same way that you judge the testimony of other  
14 witnesses. The fact that such a person has given an opinion  
15 does not mean that you are required to accept it. Give the  
16 testimony whatever weight you think it deserves, considering  
17 the reasons given for the opinion, the witness's  
18 qualifications, and all of the other evidence in the case.

19 You may find testimony of one witness or a few  
20 witnesses more persuasive than the testimony of a larger  
21 number. You need not accept testimony of the larger number of  
22 witnesses.

23 The parties were informed prior to the start of the  
24 trial that a witness would only be called once and that each  
25 side would use that opportunity to question the witness. For

1 that reason you need not consider whether a particular witness  
2 was called in the plaintiff's or the defendant's case.

3 Certain demonstrative exhibits have been shown to you.  
4 These demonstrative exhibits are used for your convenience and  
5 to help explain the facts of the case. They are not themselves  
6 evidence or proof of any facts.

7 This is a civil action in which the plaintiff Wendy  
8 Dolin, executor of the estate of Stewart Dolin, seeks to  
9 recover damages from the defendant, GlaxoSmithKline.

10 Plaintiff claims that, in violation of Illinois law,  
11 defendant committed negligence causing decedent Stewart Dolin  
12 to suffer emotional distress and commit suicide. Plaintiff  
13 seeks compensatory damages on behalf of the estate of Stewart  
14 Dolin.

15 Defendant denies it committed any of the alleged  
16 wrongdoing and denies that paroxetine caused Stewart Dolin any  
17 injury, including suicide.

18 Plaintiff contends that defendant engaged in one or  
19 more of the following acts:

20 1, provided an inaccurate warning label for paroxetine  
21 that hid the risk of Paxil-induced suicide of persons over  
22 24 years of age.

23 2, included in the paroxetine label a misleading  
24 statement concerning suicide of persons over 24 years of age.

25 3, provided the FDA with inaccurate data relating to

1 suicide of persons over 24 years of age.

2 4, withheld from the FDA significant data relating to  
3 suicide of persons over 24 years of age.

4 Defendant denies that it engaged in any of the acts  
5 and contends that:

09:45:52

6 1, paroxetine does not induce suicide in persons over  
7 24 years of age;

8 2, GSK provided accurate, non-misleading label  
9 information to physicians about a risk of suicide in persons  
10 over the age of 24, and Dr. Sachman was aware of that risk when  
11 he prescribed paroxetine for Stewart Dolin.

09:46:09

12 3, GSK did not mislead the FDA when it provided the  
13 agency with data relating to suicide for persons over 24 years  
14 of age.

09:46:27

15 4, GSK did not withhold information from the FDA about  
16 suicide in persons over 24 years of age.

17 Paroxetine is a drug designed and manufactured by the  
18 defendant. Paxil is the brand name used by the defendant for  
19 paroxetine. Paroxetine is also manufactured by various drug  
20 makers. A generic drug's design and warning label must  
21 identically match that of the named brand version of the drug  
22 in all material respects.

09:46:49

23 Defendant is responsible for the content of the  
24 paroxetine label at all times. It is charged both with  
25 crafting an adequate label and ensuring that its warnings

09:47:08

1 remain adequate as long as the drug is on the market. Under  
2 FDA regulations, defendant is required to revise and update its  
3 label to include a warning as soon as there is reasonable  
4 evidence of an association of a serious hazard with the drug; a  
5 causal relationship need not have been proved.

09:47:30

6           You may consider defendant's compliance with FDA  
7 requirements but such compliance does not establish that  
8 warnings in the label were adequate. FDA regulations permit a  
9 drug manufacturer to change a product label to add or  
10 strengthen a warning about its product without prior FDA  
11 approval so long as it later submits the revised warning to the  
12 FDA for review and approval.

09:47:49

13           The drug involved in this case can only be obtained  
14 with a prescription from a physician. For this reason the  
15 defendant has a duty to warn only the physician of the risks of  
16 which it knew, or in the exercise of ordinary care should have  
17 known. The defendant has no duty to warn the consumer  
18 directly.

09:48:08

19           Plaintiff claims that defendant committed negligence.  
20 To succeed on her negligence claim plaintiff must prove each of  
21 the following propositions by a preponderance of the evidence:

09:48:26

22           1, defendant negligently engaged in one or more of the  
23 acts claim;

24           2, that one or more of those acts was negligence;

25           3, the defendant's negligence was a proximate cause of

09:48:43

1 Stewart Dolin's emotional distress, suicidal behavior, and  
2 consequent death.

09:48:59

3 If you find from your consideration of all the  
4 evidence the plaintiff has proved each of these propositions,  
5 then you must find in favor of plaintiff on her negligence  
6 claim.

09:49:11

7 If you find from your consideration of all the  
8 evidence that any of the above propositions has not been  
9 proved, then you should find against the plaintiff on her  
10 negligence claim and not consider damages.

09:49:28

11 "Negligence" as used in these instructions means the  
12 failure to do something which a reasonably careful person or  
13 corporation would do, or the doing of something which a  
14 reasonable careful person or corporation would not do under  
15 circumstances similar to those shown by the evidence. The law  
16 does not say how a reasonably careful person or corporation  
17 would act under those circumstances. That is for you to  
18 decide.

09:49:45

19 In a civil action, such as this one, the burden is on  
20 the plaintiff to prove every essential element of each claim by  
21 a preponderance of the evidence.

22 To "prove by a preponderance of the evidence" means  
23 that you must be persuaded by considering all the evidence that  
24 something is more probably true than not true.

09:50:02

25 If plaintiff should fail to establish any one

1 essential element of any one claim that she makes by a  
2 preponderance of the evidence, you should find against the  
3 plaintiff.

09:50:18

4 As used in these instructions, "proximate cause" means  
5 that cause in the natural or ordinary course of events produced  
6 the death of Stewart Dolin. It need not be the only cause, nor  
7 the nearest or last cause. It is sufficient if it combines  
8 with another cause resulting in Stewart Dolin's death.

09:50:42

9 If you find that plaintiff has proved her claim  
10 against defendant, then you must determine what amount of  
11 damages, if any, plaintiff is entitled to recover from the  
12 defendant.

09:50:57

13 In this case, there are two general types of possible  
14 damages. The first is wrongful death loss, that is, the  
15 pecuniary loss to surviving family members proximately caused  
16 by Stewart Dolin's death.

09:51:20

17 The second is survival damages, that is, damages of  
18 Stewart Dolin from the time he allegedly took paroxetine from  
19 July 10th, 2010, to the time of his death. Below, these two  
20 general types of possible damages are described more fully.

21 Remember, if you find against the plaintiff as to both  
22 claims, will not consider the question of damages.

09:51:38

23 As a matter of fact, I'm going to make a change here.  
24 There's only one claim. It's a negligence claim. So, I'm  
25 striking out "both" and making "claim" singular.



1           The burden is on the plaintiff to prove damages by a  
2 preponderance of the evidence. Your award must be based on  
3 evidence and not speculation or guesswork.

09:52:01 4           If you find in favor of plaintiff, you may not  
5 duplicate damages. In other words, you may award a sum of  
6 money to compensate plaintiff for all damages that have been  
7 proved, but the sum should not be increased because damages  
8 have occurred in more than one way.

09:52:17 9           If you decide for plaintiff on the question of  
10 liability, you must fix the amount of money which will  
11 reasonably and fairly compensate the widow and adult children  
12 of Stewart Dolin for the pecuniary loss proved by the evidence  
13 to have been proximately caused by Stewart Dolin's death.

09:52:37 14           Wrongful death damages may include loss of money,  
15 benefits, goods, services, and society.

16           Where a decedent leaves a widow and adult children of  
17 the decedent, the law recognizes a presumption that they have  
18 sustained some substantial pecuniary loss by reason of the  
19 death. The weight to be given this presumption is for you to  
09:52:54 20 decide from the evidence in the case.

21           In determining wrongful death damages, you may  
22 consider what the evidence shows concerning the following:

23           What money, benefits, goods, and services the decedent  
24 customarily contributed in the past;

09:53:06 25           What money, benefits, goods, and services the decedent

1 was likely to have contributed in the future;

2 Decedent's personal expenses;

3 What instruction and moral training decedent might  
4 have been expected to give children had he lived;

5 Decedent's age;

6 Decedent's sex;

7 Decedent's health;

8 Decedent's habits of industry, sobriety, and thrift;

9 Decedent's occupation abilities;

10 The grief, sorrow, and mental suffering;

11 The relationship between the widow, son and daughter  
12 of decedent;

13 And the marital relationship that existed between the  
14 widow and decedent.

09:53:43 15 Whether any of these has been proved by the evidence  
16 is for you to determine.

17 In determining wrongful death damages, you may not  
18 consider the pain and suffering of the decedent at this point  
19 or the poverty or wealth of the next of kin.

09:53:59 20 As used in this instructions, "society" means the  
21 mutual benefits that each family member receives from each  
22 other's continued existence, including love, affection, care,  
23 attention, companionship, comfort, guidance, and protection.

09:54:16 24 In determining wrongful death damages, you may  
25 consider how long Wendy, Zachary, and Bari Dolin will be likely

1 to sustain pecuniary losses proximately caused by Stewart  
2 Dolin's death, taking into account how long Stewart was likely  
3 to have lived and how long Wendy, Zachary, and Bari are likely  
4 to live.

5 In calculating the amount of future pecuniary losses,  
6 you must determine their present cash value. "Present cash  
7 value" means the sum of money needed now which, together with  
8 that sum may reasonably be expected to earn in the future, will  
9 equal the amounts of those monetary losses at the time in the  
10 future when they will be sustained.

11 The discount rate to be applied for the purpose of  
12 reducing any future loss to present value is 1.97 percent.

09:55:11

13 According to a table of mortality, the life expectancy  
14 of a male age 57 years is 24 years. This figure is not  
15 conclusive. It is an average life expectancy of a person who  
16 has reached that age. They may be considered by you in  
17 connection with the other evidence relating to the probable  
18 life expectancy of Mrs. Dolin, including evidence of  
19 occupations, health, habits, and activities.

09:55:29

20 Damages for loss of society, grief, emotional  
21 distress, and pain and suffering are not reduced to present  
22 cash value.

09:55:42

23 If you decide for plaintiff on the question of  
24 liability, you must fix the amount of money which will  
25 reasonably and fairly compensate the estate of Stewart Dolin

1 for any of the following elements of damages proved by the  
2 evidence. Survival damages covers the time period from the  
3 time when Stewart Dolin first took paroxetine on July 10th,  
4 2010, until the time of his death, and includes:

09:56:01

5 Emotional distress;  
6 Pain and suffering; and  
7 Loss of normal life.

8 Whether any of these has been proved by the evidence  
9 for you to determine.

09:56:08

10 "Loss of a normal life" means the temporary or  
11 permanent diminished ability to enjoy life. This includes a  
12 person's inability to pursue the pleasurable aspects of life.

13 Upon retiring to the jury room, you must select a  
14 presiding juror. The presiding juror will preside over your  
15 deliberations and will be your representative here in court.

09:56:29

16 A form of verdict has been prepared for you.

17 If you will now turn to the form of verdict, I will go  
18 over it with you briefly. It's a rather simple form of  
19 verdict. It calls upon you to decide for the plaintiff or  
20 against the plaintiff on liability, and to fix the damages, and  
21 then to affix your signature to each copy.

09:56:45

22 You may use this copy that's attached to your form for  
23 your discussions. I will give the marshal the official verdict  
24 form which will contain the lines for each of your signatures,  
25 and you will have that in the jury room.

09:57:05

1           And you will take this form to the jury, and when you  
2 have reached unanimous agreement on the verdict, your presiding  
3 juror will fill it in, date the form, and all of you will sign  
4 it.

09:57:16

5           The verdict must represent the considered judgment of  
6 each juror. Your verdict, whether for or against the parties,  
7 must be unanimous.

8           You should make every reasonable effort to reach a  
9 verdict. In doing so, you should consult with one another,  
10 express your own views, and listen to the opinions of your  
11 brother and sister jurors.

12           Discuss your differences with an open mind. Do not  
13 hesitate to reexamine your own views and change your opinion if  
14 you come to believe it is wrong. But you should not surrender  
15 your honest beliefs about the weight or effect of evidence  
16 solely because of the opinions of other jurors or for the  
17 purpose of returning a unanimous verdict.

18           All of you should give fair and equal consideration to  
19 all the evidence and deliberate with the goal of reaching an  
20 agreement that is consistent with the individual judgment of  
21 each juror.

22           You are impartial judges of the facts.

23           I do not anticipate that you will need to communicate  
24 with me. If you do need to communicate with me, the only  
25 proper way is in writing. The writing must be signed by the

09:58:10

1 presiding juror, or, if he or she is unwilling to do so, by  
2 some other juror. The writing given to the marshal, who will  
3 give it to me. I will respond either in writing or by having  
4 you return to the courtroom so that I can respond orally.

09:58:26

5 If you do communicate with me, you should not indicate  
6 in your note what your numerical division is, if any.

7 All right. Swear the marshal, please.

8 (Marshal sworn).

9 THE COURT: Give the marshal the verdict form, please.

09:59:03

10 (Verdict form tendered to the marshal.)

11 THE COURT: All right. Ladies and gentlemen, you have  
12 the case. You will retire now to begin your deliberations.

13 THE MARSHAL: All rise.

14 (The following proceedings were had out of the  
15 presence of the jury in open court:)

09:59:30

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

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20 [REDACTED]

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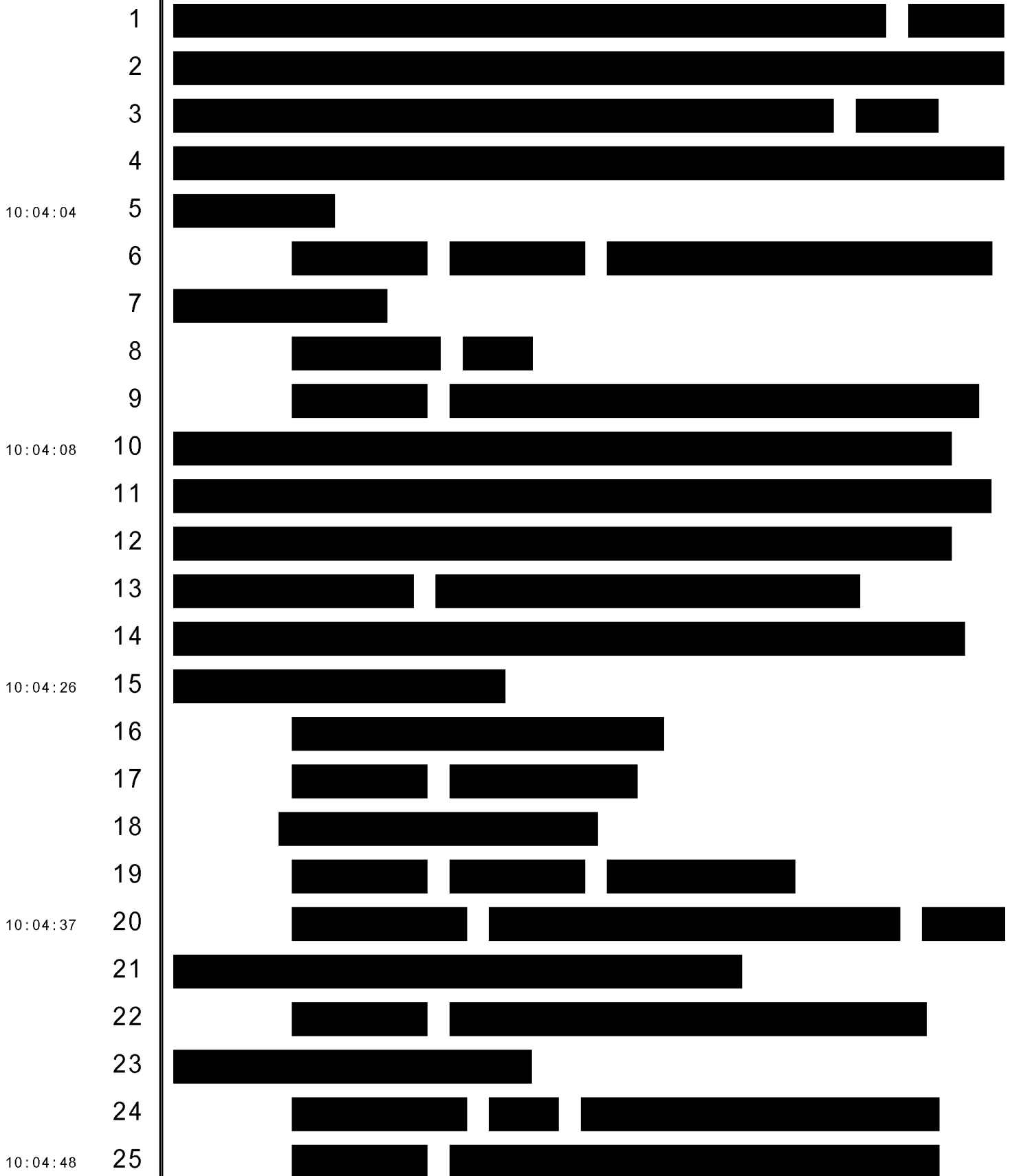
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10:00:54	15	[Redacted]
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	17	[Redacted]
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	21	[Redacted]
	22	[Redacted]
	23	[Redacted]
	24	[Redacted]
10:01:23	25	[Redacted]

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10:01:31	5	[REDACTED]
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	7	[REDACTED]
	8	[REDACTED]
	9	[REDACTED]
10:01:49	10	[REDACTED]
	11	[REDACTED]
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	14	[REDACTED]
10:02:02	15	[REDACTED]
	16	[REDACTED]
	17	[REDACTED]
	18	[REDACTED]
	19	[REDACTED]
10:02:18	20	[REDACTED]
	21	[REDACTED]
	22	[REDACTED]
	23	[REDACTED]
	24	[REDACTED]
10:02:26	25	[REDACTED]



	1	[REDACTED]
	2	[REDACTED]
	3	[REDACTED]
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10:02:38	5	[REDACTED]
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	8	[REDACTED]
	9	[REDACTED]
10:02:52	10	[REDACTED]
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	14	[REDACTED]
10:03:08	15	[REDACTED]
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10:03:30	20	[REDACTED]
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	23	[REDACTED]
	24	[REDACTED]
10:03:47	25	[REDACTED]



	1	[REDACTED]
	2	[REDACTED] [REDACTED]
	3	[REDACTED] [REDACTED]
	4	[REDACTED] [REDACTED]
10:04:54	5	[REDACTED] [REDACTED]
	6	[REDACTED] [REDACTED]
	7	[REDACTED]
	8	[REDACTED] [REDACTED]
	9	[REDACTED] [REDACTED] [REDACTED]
10:05:03	10	[REDACTED] [REDACTED]
	11	[REDACTED]
	12	[REDACTED]
	13	[REDACTED] [REDACTED]
	14	[REDACTED] [REDACTED]
10:05:13	15	[REDACTED] [REDACTED] [REDACTED]
	16	[REDACTED]
	17	[REDACTED] [REDACTED]
	18	[REDACTED]
	19	[REDACTED] [REDACTED] [REDACTED]
10:05:24	20	[REDACTED] [REDACTED]
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	23	[REDACTED]
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09:18:45	25	

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WENDY B. DOLIN Individually and as Independent Executor of the Estate of STEWART DOLIN, deceased,	}	No. 12 CV 6403
Plaintiff,		
vs.	}	Chicago, Illinois
SMITHKLINE BEECHAM CORPORATION D/B/A GLAXOSMITHKLINE, a Pennsylvania Corporation,		
Defendant.	)	12:58 o'clock a.m.

VOLUME 21 - QUESTION FROM THE JURY  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE WILLIAM T. HART

For the Plaintiff:

BAUM, HEDLUND, ARISTEI & GOLDMAN, P.C.  
BY: R. Brent Wisner  
Michael L. Baum  
12100 Wilshire Boulevard  
Suite 950  
Los Angeles, California 90025  
(310) 207-3233

RAPOPORT LAW OFFICES, P.C.  
BY: David E. Rapoport  
Matthew S. Sims  
20 North Clark Street  
Suite 3500  
Chicago, Illinois 60602  
(312) 327-9880

Court reporter:

Blanca I. Lara, CP, CSR, RPR  
219 South Dearborn Street  
Room 2504  
Chicago, Illinois 60604  
(312) 435-5895

1 Appearances (continued:)

2

3 For Defendant GlaxoSmithKline:

4

KING & SPALDING  
BY: Todd P. Davis  
Andrew T Bayman  
Heather Howard  
1180 Peachtree St Ne  
Atlanta, Georgia 30309  
(404) 572-4600

8

KING & SPALDING LLP  
BY: Ursula M. Henninger  
Suite 3900  
100 N Tryon Street  
Charlotte, NC 28202  
(704) 503-2631

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12

SNR DENTON US, LLP  
BY: Alan Scott Gilbert  
233 South Wacker Drive  
Suite 7800  
Chicago, Illinois 60606  
(312) 876-8000

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1 (The following proceedings were had out of the  
2 presence of the jury in open court:)

3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED] [REDACTED]

01:00:04

5 [REDACTED] [REDACTED]  
6 [REDACTED]

7 [REDACTED]  
8 [REDACTED]

01:00:23

9 [REDACTED]  
10 [REDACTED]

11 [REDACTED]  
12 [REDACTED] [REDACTED]

13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED]

01:00:50

15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED]

01:01:02

19 [REDACTED] [REDACTED] [REDACTED]  
20 [REDACTED]

21 [REDACTED]  
22 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

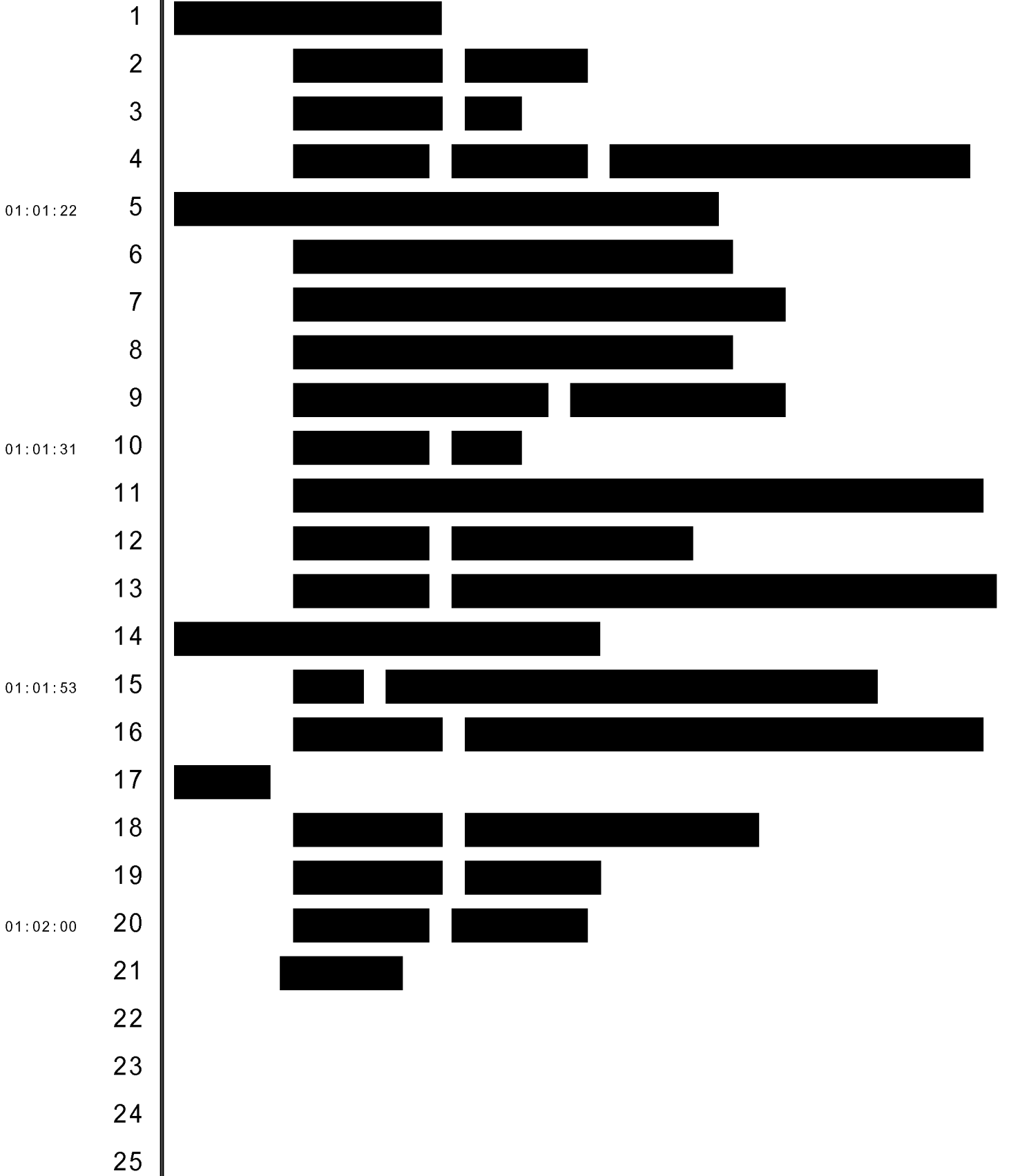
23 [REDACTED]  
24 [REDACTED]

01:01:14

25 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Jury Question

4463



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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WENDY B. DOLIN Individually and as Independent Executor of the Estate of STEWART DOLIN, deceased,	}	No. 12 CV 6403
Plaintiff,		
vs.	}	Chicago, Illinois
SMITHKLINE BEECHAM CORPORATION D/B/A GLAXOSMITHKLINE, a Pennsylvania Corporation,		
Defendant.	)	1:47 o'clock a.m.

VOLUME 21 - QUESTION FROM THE JURY  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE WILLIAM T. HART

For the Plaintiff:

BAUM, HEDLUND, ARISTEI & GOLDMAN, P.C.  
BY: R. Brent Wisner  
Michael L. Baum  
12100 Wilshire Boulevard  
Suite 950  
Los Angeles, California 90025  
(310) 207-3233

RAPOPORT LAW OFFICES, P.C.  
BY: David E. Rapoport  
Matthew S. Sims  
20 North Clark Street  
Suite 3500  
Chicago, Illinois 60602  
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Court reporter:

Blanca I. Lara, CP, CSR, RPR  
219 South Dearborn Street  
Room 2504  
Chicago, Illinois 60604  
(312) 435-5895



1 Appearances (continued:)

2

3 For Defendant GlaxoSmithKline:

4

KING & SPALDING  
BY: Todd P. Davis  
Andrew T Bayman  
Heather Howard  
1180 Peachtree St Ne  
Atlanta, Georgia 30309  
(404) 572-4600

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1 (The following proceedings were had out of the  
2 presence of the jury in open court:)

3 [REDACTED]

4 [REDACTED]

01:49:22

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

01:49:44

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

01:50:02

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

01:50:10

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

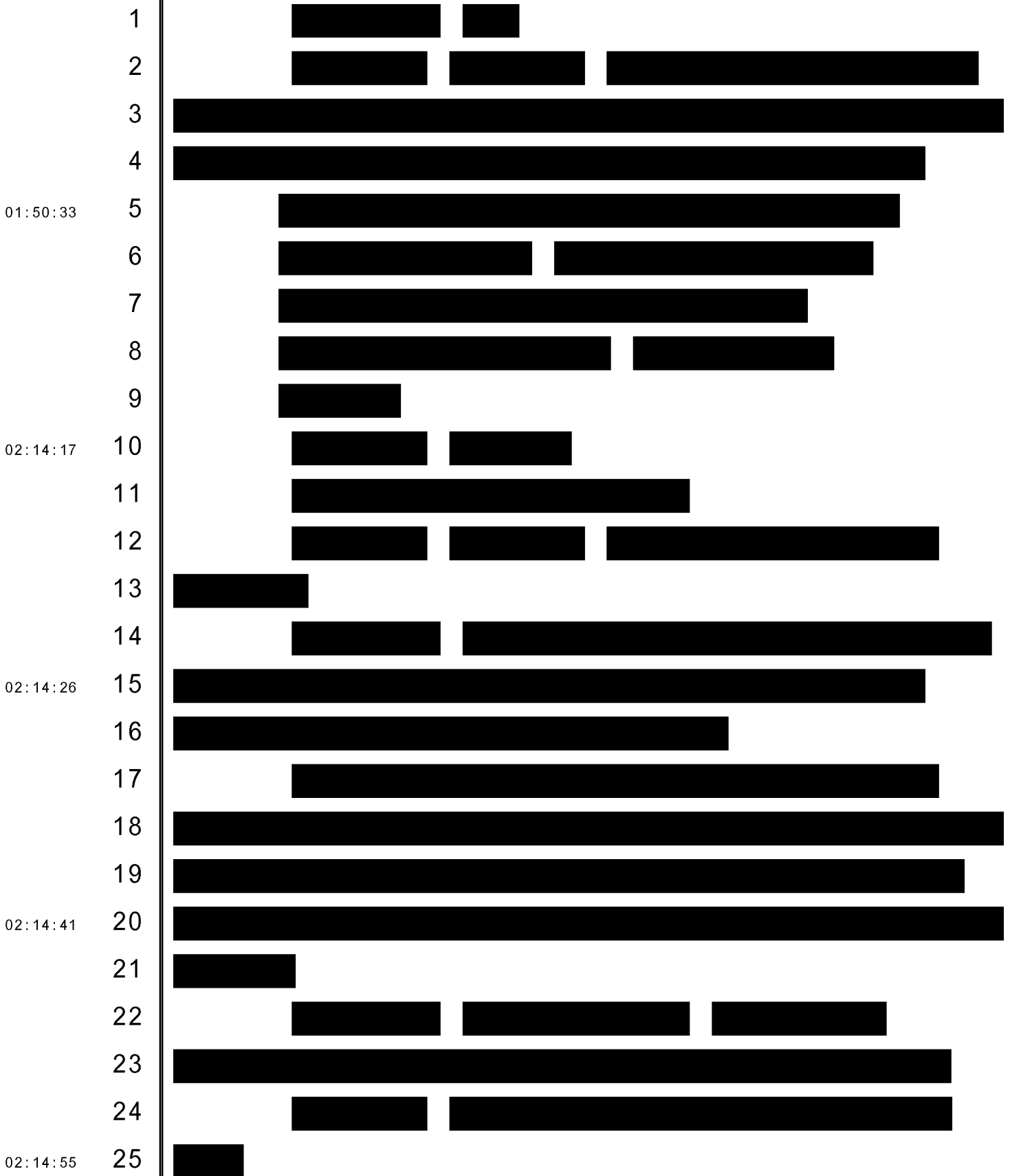
24 [REDACTED]

01:50:20

25 [REDACTED]

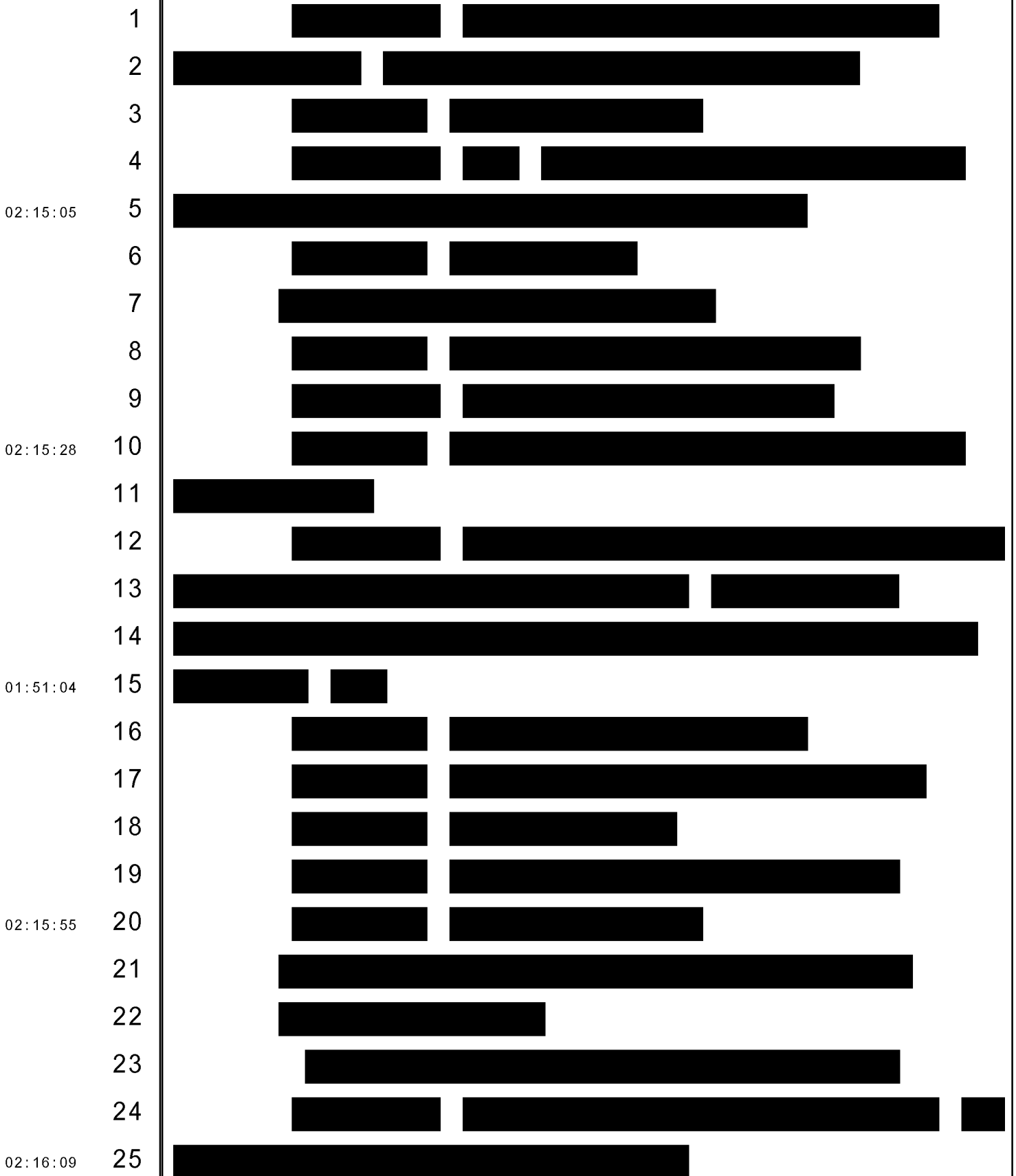
Jury Question

4467



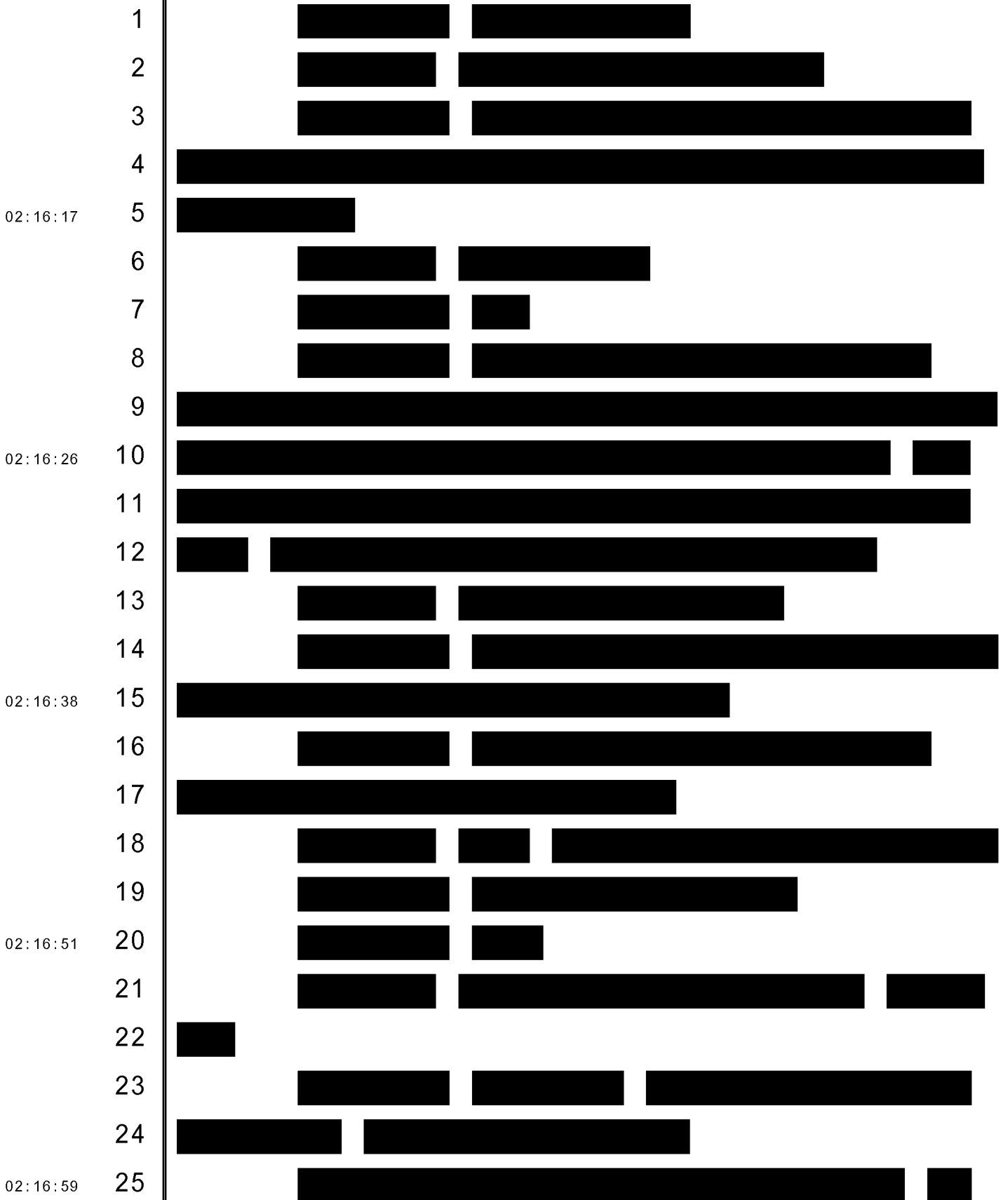
Jury Question

4468



Jury Question

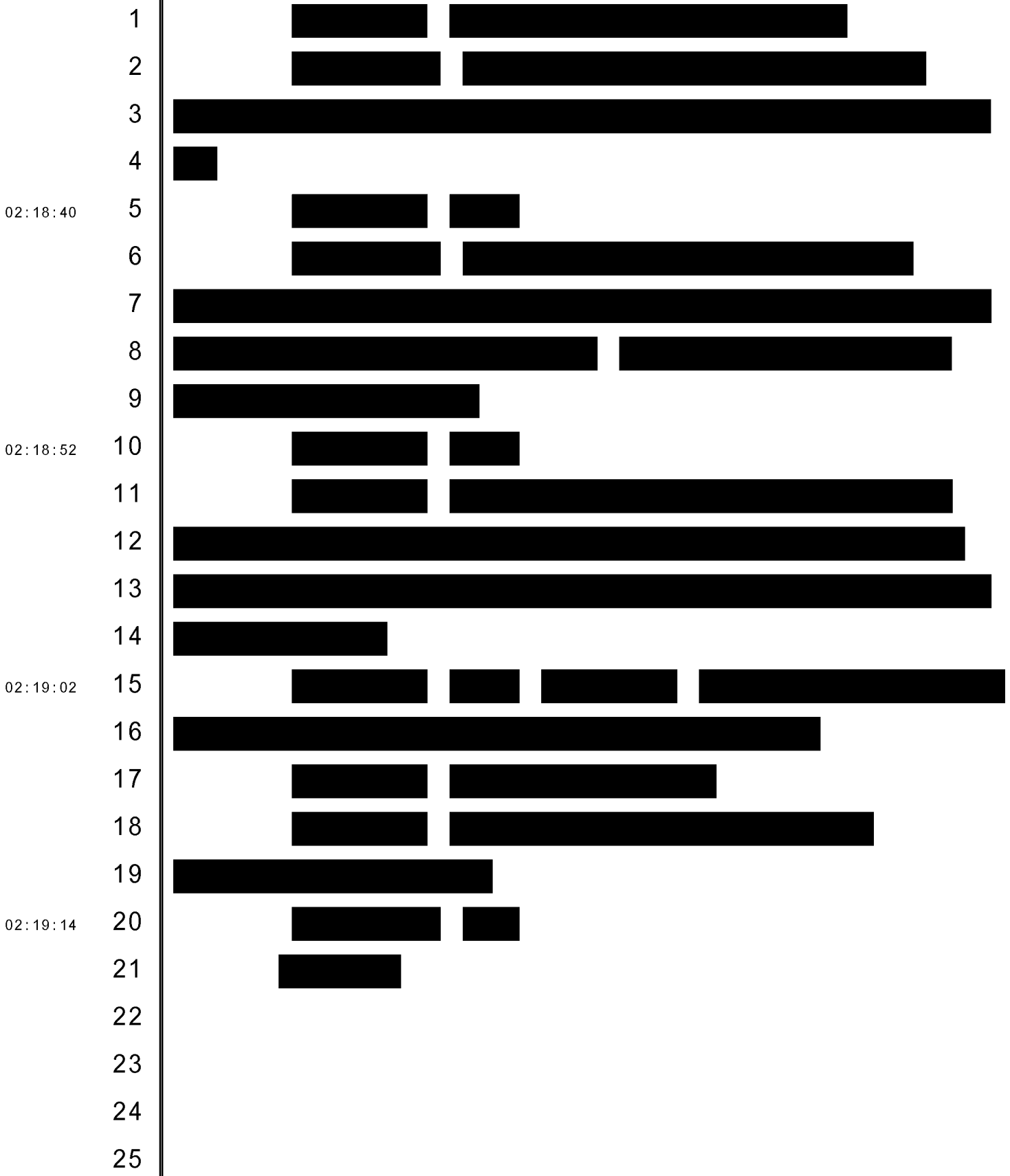
4469



	1	[Redacted]
	2	[Redacted]
	3	[Redacted]
	4	[Redacted]
02:17:14	5	[Redacted]
	6	[Redacted]
	7	[Redacted]
	8	[Redacted]
	9	[Redacted]
02:17:18	10	[Redacted]
	11	[Redacted]
	12	[Redacted]
	13	[Redacted]
	14	[Redacted]
02:17:34	15	[Redacted]
	16	[Redacted]
	17	[Redacted]
	18	[Redacted]
	19	[Redacted]
02:17:59	20	[Redacted]
	21	[Redacted]
	22	[Redacted]
	23	[Redacted]
	24	[Redacted]
02:18:24	25	[Redacted]

Jury Question

4471



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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WENDY B. DOLIN Individually and as Independent Executor of the Estate of STEWART DOLIN, deceased,	}	No. 12 CV 6403
Plaintiff,		
vs.	}	Chicago, Illinois
SMITHKLINE BEECHAM CORPORATION D/B/A GLAXOSMITHKLINE, a Pennsylvania Corporation,		
Defendant.	)	3:11 o'clock a.m.

VOLUME 21 - QUESTION FROM THE JURY  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE WILLIAM T. HART

For the Plaintiff:

BAUM, HEDLUND, ARISTEI & GOLDMAN, P.C.  
BY: R. Brent Wisner  
Michael L. Baum  
12100 Wilshire Boulevard  
Suite 950  
Los Angeles, California 90025  
(310) 207-3233

RAPOPORT LAW OFFICES, P.C.  
BY: David E. Rapoport  
Matthew S. Sims  
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Suite 3500  
Chicago, Illinois 60602  
(312) 327-9880

Court reporter:

Blanca I. Lara, CP, CSR, RPR  
219 South Dearborn Street  
Room 2504  
Chicago, Illinois 60604  
(312) 435-5895



1 Appearances (continued:)

2

3 For Defendant GlaxoSmithKline:

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KING & SPALDING  
BY: Todd P. Davis  
Andrew T Bayman  
Heather Howard  
1180 Peachtree St Ne  
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Suite 7800  
Chicago, Illinois 60606  
(312) 876-8000

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1 (The following proceedings were had out of the  
2 presence of the jury in open court:)

3 [REDACTED] [REDACTED]  
4 [REDACTED] [REDACTED]

03:15:22

5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]

8 [REDACTED]  
9 [REDACTED]

03:15:41

10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED] [REDACTED]

13 [REDACTED] [REDACTED]  
14 [REDACTED]

03:16:04

15 [REDACTED] [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED]  
19 [REDACTED]

03:27:13

20 (The following proceedings were had out of the  
21 presence of the jury in open court:)

22 [REDACTED] [REDACTED]  
23 [REDACTED] [REDACTED] [REDACTED]  
24 [REDACTED] [REDACTED]

03:28:31

25 [REDACTED]

Jury Question

4475

	1	[REDACTED]	[REDACTED]
	2	[REDACTED]	[REDACTED]
	3	[REDACTED]	[REDACTED]
	4	[REDACTED]	[REDACTED]
03:28:41	5	[REDACTED]	[REDACTED]
	6	[REDACTED]	[REDACTED]
	7	[REDACTED]	[REDACTED]
	8	[REDACTED]	[REDACTED]
	9	[REDACTED]	[REDACTED]
03:28:57	10	[REDACTED]	[REDACTED]
	11	[REDACTED]	[REDACTED]
	12	[REDACTED]	[REDACTED]
	13	[REDACTED]	[REDACTED]
	14	[REDACTED]	[REDACTED]
03:29:13	15	[REDACTED]	[REDACTED]
	16	[REDACTED]	[REDACTED]
	17	[REDACTED]	[REDACTED]
	18	[REDACTED]	[REDACTED]
	19	[REDACTED]	[REDACTED]
03:29:31	20	[REDACTED]	[REDACTED]
	21	[REDACTED]	[REDACTED]
	22	[REDACTED]	[REDACTED]
	23	[REDACTED]	[REDACTED]
	24	[REDACTED]	[REDACTED]
03:29:52	25	[REDACTED]	[REDACTED]

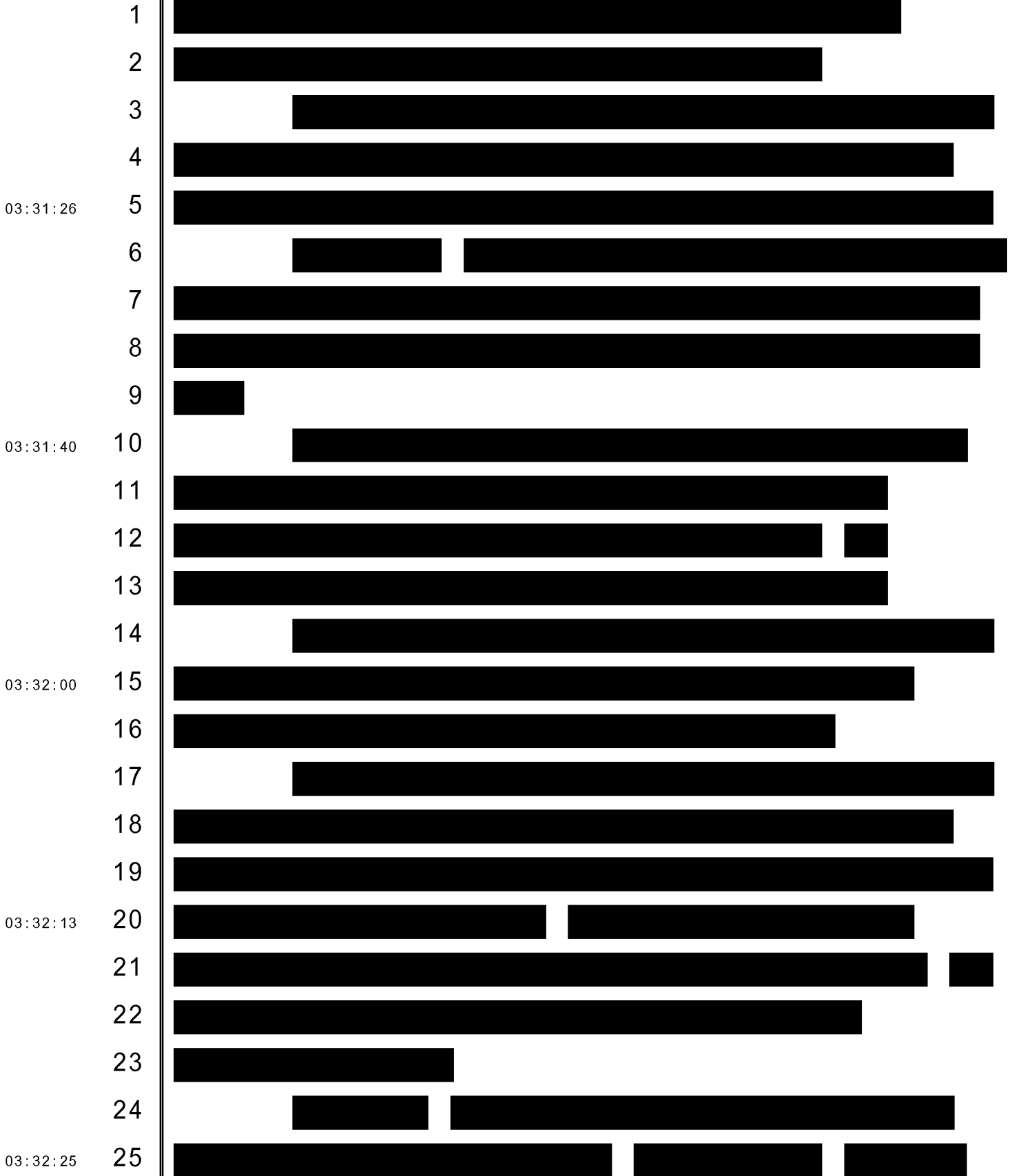
Jury Question

4476

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03:30:06	5	[Redacted]
	6	[Redacted]
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	9	[Redacted]
03:30:22	10	[Redacted]
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	14	[Redacted]
03:30:37	15	[Redacted]
	16	[Redacted]
	17	[Redacted]
	18	[Redacted]
	19	[Redacted]
03:30:55	20	[Redacted]
	21	[Redacted]
	22	[Redacted]
	23	[Redacted]
	24	[Redacted]
03:31:11	25	[Redacted]

Jury Question

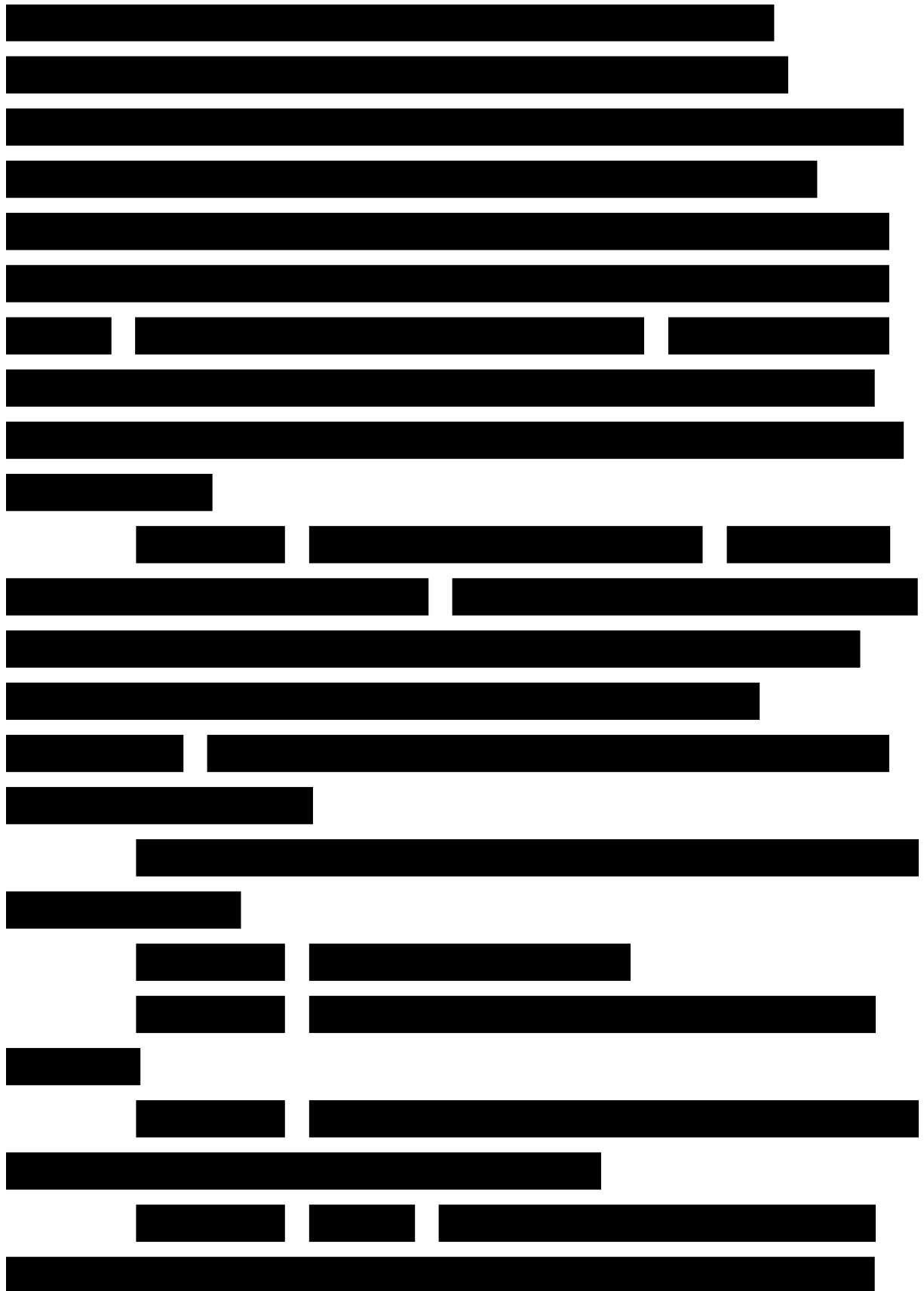
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Jury Question

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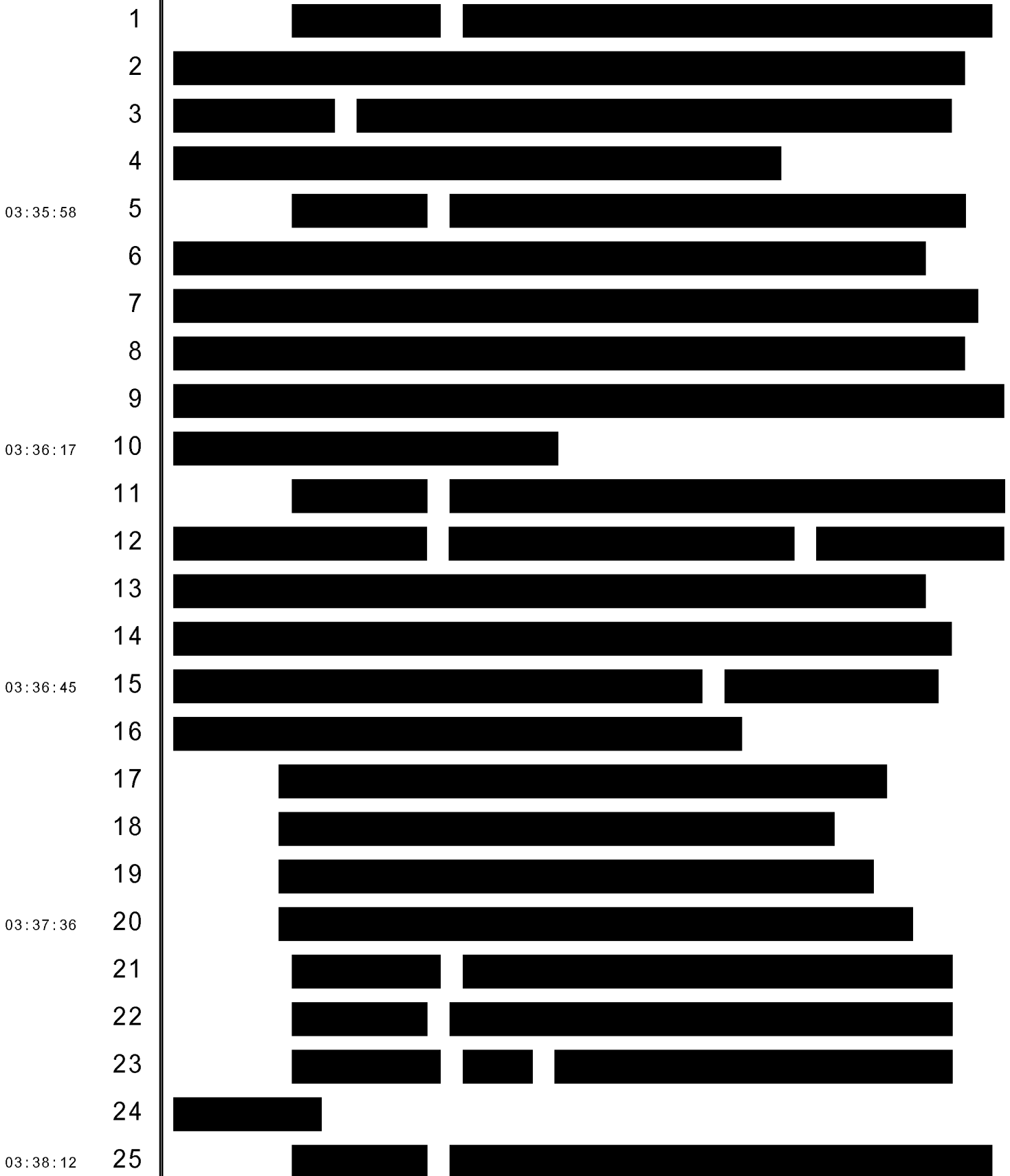
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	1	[Redacted]
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03:34:43	5	[Redacted]
	6	[Redacted]
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	9	[Redacted]
03:34:56	10	[Redacted]
	11	[Redacted]
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03:35:11	15	[Redacted]
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	19	[Redacted]
03:35:23	20	[Redacted]
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	23	[Redacted]
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03:35:36	25	[Redacted]

Jury Question

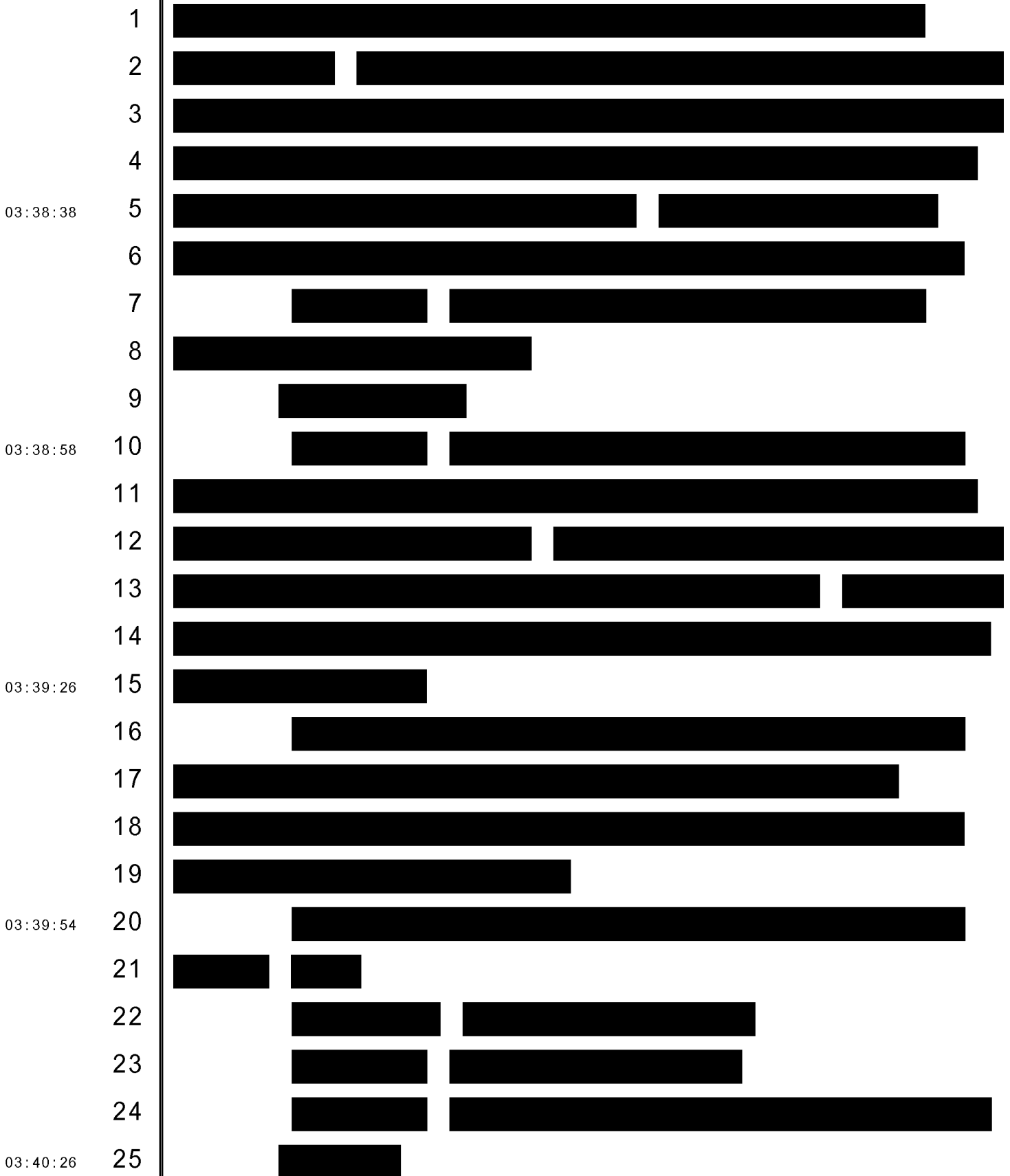
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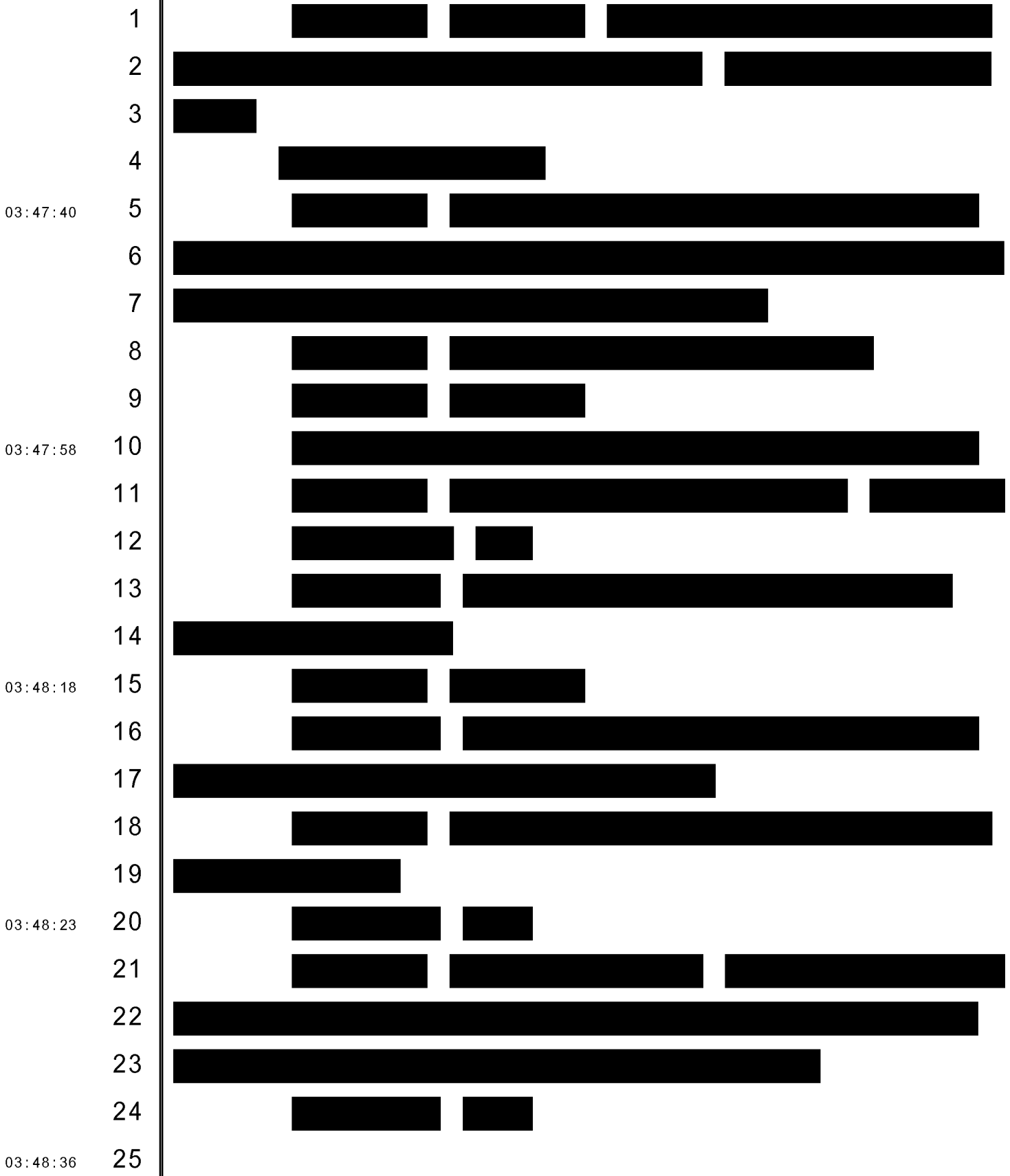
Jury Question

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Jury Question

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(Which concluded the proceedings had on this date in the above entitled cause; jury left at 4:30 p.m.)

\* \* \* \* \*

I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED MATTER

/s/Blanca I. Lara

April 19, 2017