

FILED

OCT 17 2019

Judge James F. Hyland
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY

IN RE TAXOTERE LITIGATION

CASE TYPE: MCL NO. 628

MASTER DOCKET NO.:

MID-L-4998-18-CM

CIVIL ACTION
IN RE TAXOTERE LITIGATION

CASE MANAGEMENT ORDER NO. 5

THIS MATTER having come before the Court for a Case Management Conference on September 11, 2019, and the parties having met and conferred; and for good cause shown:

IT IS on this 17 day of October, 2019, **ORDERED** as follows:

1. The parties shall meet and confer regarding the Defendants' production of documents and discovery responses produced in the MDL proceeding, and shall notify the Court of any issues by **October 25, 2019**.
2. Concerning the recent orders entered by the Court, the parties have agreed to use the dates that the recent orders were posted, as opposed to the date of the Orders, for purposes of upcoming deadlines:
 - a. ESI Protocol – posted on August 16, 2019. ~~Defendants~~ The parties have agreed to provide responses to Section IV(E) by **September 20, 2019**.
 - b. Decision on Defendants' Motion to Dismiss – posted on September 6, 2019. Subject to other agreements based on meet and confers among the Plaintiffs and individual Defendants, Defendants' responses to Plaintiffs October 3, 2018 discovery requests shall be served no later than

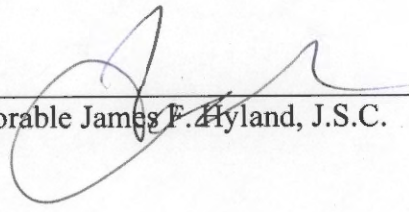
November 5, 2019. Plaintiffs shall file an Amended Master Complaint and Short Form Complaint by **November 5, 2019.**

c. Plaintiff Fact Sheet/Defendant Fact Sheet Implementation Order – posted on August 16, 2019. Each Plaintiff with a case filed by August 16, 2019 must submit a complete and verified PFS, signed and dated Authorizations, and all responsive documents in Plaintiff's possession shall be submitted to the Defendants using MDL Centrality no later than **October 30, 2019.**

d. Product Identification Order No. 3 – posted on August 27, 2019. Plaintiffs' responses shall be served no later than **December 30, 2019.**

3. The parties will submit to the Court *ex parte* the PowerPoints used in the MDL Science Day before Judge Milazzo by **September 25, 2019.** The PowerPoints will not be filed with the Clerk, will not be exchanged with the parties, will not be binding, will not waive claims or defenses, and may not be offered into evidence against a party in any legal proceeding or for any other purpose. The PowerPoints are not discoverable, admissible, and may not be used in any fashion for impeachment purposes or for collateral attack on any witness, shared beyond the instant litigation, or used for any purpose other than for this Court's benefit to gather informal knowledge.
4. The next Case Management Conference is scheduled for **December 12, 2019 at 10:00 a.m.** before the Undersigned in Courtroom 403 at the Middlesex County Courthouse, 56 Patterson Street, New Brunswick, New Jersey. The Parties shall submit a joint agenda to the Court listing the issues for the case management conference, via e-mail, by **12:00 PM on December 5, 2019.** Liaison Counsel for

the parties shall circulate a dial-in to all counsel of record and the Court prior to the conference. Defendants' Liaison Counsel shall send a proposed agenda to Plaintiffs' Liaison Counsel on or before **November 28, 2019**.



Honorable James F. Hyland, J.S.C.