

IN RE TAXOTERE LITIGATION

FILED

FEB 11 2020

Judge James F. Hyland

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY

CASE TYPE: MCL NO. 628

MASTER DOCKET NO.:

MID-L-4998-18-CM

CIVIL ACTION
IN RE TAXOTERE LITIGATION

[PROPOSED] CASE MANAGEMENT ORDER NO. 7

THIS MATTER having come before the Court for a Case Management Conference on January 23, 2020, which included presentations and argument by counsel for the parties; and the parties having met and conferred; and for good cause shown:

IT IS on this 11th day of February, 2020, **ORDERED** as follows:

1. By **February 6, 2020**, Plaintiffs shall produce to Defendants copies of the scientific literature that: (1) Plaintiffs claim has evolved since the original Master Long Form Complaint was filed in October 2018, and (2) Plaintiffs claim substantiates the rationale underlying Plaintiffs' amendments to the Third Amended Master Long Form Complaint with respect to the definition of the alleged injury in this MCL. In response, Defendants shall submit a letter to the Court by **February 13, 2020** to address any issues, including whether additional written discovery is needed to supplement all of the Plaintiff Fact Sheets in this MCL. Plaintiffs shall have until **February 20, 2020** to respond to Defendants' letter submission. The parties may contact the Court to schedule a telephonic conference if any issues raised in the letters cannot be remedied between the parties.

2. The deadline for all Defendants to respond to the Third Amended Master Long Form and Short Form Complaint is held in abeyance until further order of the Court.

3. The Sanofi Defendants have until **February 14, 2020** to supplement their ESI disclosures and their responses to Plaintiffs' First Set of Interrogatories, First Set of Requests for Admission, and Second Set of Requests for Production consistent with the terms of the parties' meet and confer sessions.

4. Plaintiffs and the Sanofi Defendants shall meet and confer prior to the next Case Management Conference to address the deficiencies raised in Plaintiffs' January 10, 2020 letter regarding Defendants' responses to Plaintiffs' First Set of Requests for Production.

5. On January 31, 2020 at 10:00 A.M., the Court will hold an Order to Show Cause, at which time Plaintiffs Tosca Akoto (L-007626-18), Susan Clark (L-007677-18), Toni Johnson (L-007623-18), and (4) Linda Kaysheon (L-007627-18), and/or their counsel shall show cause why their case should not be dismissed with prejudice.

6. The parties shall meet and confer prior to the next Case Management Conference regarding alleged metadata deficiencies associated with photographs that Plaintiffs have already produced to Defendants as part of the Plaintiff Fact Sheet process.

7. The individual parties shall meet and confer prior to the next Case Management Conference to address the status of Plaintiffs' compliance with Product Identification Order No. 3. If a Plaintiff has not produced proper product identification evidence by March 11, 2020, such Plaintiff must certify to the Court by **March 11, 2020** the steps she has taken to collect such evidence.

8. The parties shall continue to meet and confer regarding a proposed bellwether/case work-up plan, and provide the Court with an update by **February 12, 2020**.

9. The next Case Management Conference is scheduled for **March 11, 2020 at 10:00 a.m.** before the Undersigned in Courtroom 403 at the Middlesex County Courthouse, 56 Paterson 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 **March 4, 2020.** Liaison Counsel for the Plaintiffs 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 **February 26, 2020.**



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