



**NIGH GOLDENBERG
RASO & VAUGHN**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

IN RE: VALSARTAN N-
NITROSODIMETHYLAMINE (NDMA),
LOSARTAN, and IRBESARTAN PRODUCTS
LIABILITY LITIGATION

Civil No. 19-2875 (RBK/JS)

REVISED CASE MANAGEMENT ORDER NO.

22

The Court having held a status conference via phone with counsel on November 24, 2020 and having reviewed the parties' joint application for certain revisions to the previously filed Case Management Order No. 22; and this Order intending to confirm the various rulings made by the Court; and accordingly,

It is hereby ORDERED this 11th day of January 2021, as follows:

- 1) No personal jurisdiction motions may be filed without leave of court.
- 2) No summary judgment motions may be filed without leave of court.
- 3) No amended complaints shall be filed without leave of court to be requested in a Motion to Amend.
- 4) All requests to vacate dismissals entered on account of the Order to Show Cause process shall be made via a formal motion.
- 5) The following scheduling deadlines shall be in effect:
 - **April 1, 2021** - Deadline to complete first phase of fact discovery, including:

- Depositions of Manufacturer Defendants.¹
 - Depositions of current economic loss and medical monitoring putative class representatives.
 - Depositions of at least ten (10) personal injury bellwether plaintiffs.
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- **May 3, 2021** - Deadline for plaintiffs to serve their expert reports addressing general causation with dates the experts are available to be deposed.
 - **June 1, 2021** - Deadline for defendants to serve their expert reports addressing general causation with dates the experts are available to be deposed.
 - **July 1, 2021** - Deadline to complete depositions of plaintiffs' general causation experts.
 - **August 2, 2021** - Deadline to complete depositions of defendants' general causation experts.
 - **August 2, 2021** - Deadline to complete second phase of fact discovery, including:
 - Depositions of the remainder of personal injury bellwether plaintiffs not previously deposed.
 - Depositions of third parties identified by defendants and plaintiffs (including treaters/prescribers).
 - Depositions of third parties plaintiffs have subpoenaed, to the extent allowed by the Court.
 - Depositions of any new putative economic loss class representative allowed by the Court.
 - Further discovery, if any, of wholesaler and retailer/pharmacy defendants (to begin on or after April 1, 2021).
 - **August 31, 2021** - Deadline to file Daubert motions regarding general causation experts.
 - **September 3, 2021** - Deadline for plaintiffs to file motion(s) for class certification and serve their expert reports addressing class certification with

¹ For purposes of this Case Management Order, "Manufacturer Defendants" refers to the Defendants for whom the Court has approved 30(b)(6) Notices in Dkt. No. 651.

dates the class certification experts are available to be deposed.

- **October 1, 2021** - Deadline to file responses to Daubert motions regarding general causation experts.
 - **November 1, 2021** - Deadline to file replies to responses to Daubert motions regarding general causation experts.
 - **November 5, 2021** - Deadline for defendants to serve their expert reports addressing class certification with dates the experts are available to be deposed.
 - **December 3, 2021** - Deadline to complete depositions of plaintiffs' class certification experts.
 - **January 3, 2022** - Deadline to complete depositions of defendants' class certification experts.
 - **January 14, 2022** - Deadline for defendants to file responses to class certification motions.
 - **February 4, 2022** - Deadline to file Daubert motions regarding class certification experts.
 - **February 11, 2022** - Deadline for plaintiffs to file replies to responses to class certification motions.
 - **March 4, 2022** - Deadline to file responses to Daubert motions regarding class certification experts.
 - **March 18, 2022** - Deadline to file replies to responses to Daubert motions regarding class certification experts.
- 6) By **December 2, 2020**, plaintiffs shall serve the final versions of their Fed.R.Civ.P.30(b)(6) deposition notices (dates blank) which will be approved in a Court Order.
- 7) All disputes regarding the parties' Deposition Addendums shall be put on the agenda for the **December 9, 2020** conference call.
- 8) By **December 8, 2020** the parties shall complete fulsome discussions regarding the names, dates, and locations of depositions to be taken starting on January 19, 2021.

9) By **December 23, 2020**, defendants are granted leave to file a motion to compel/protective order regarding all deposition issues not resolved by that date.

10) By **December 31, 2020** plaintiffs' shall disclose the types of cancer for which they will provide expert reports to proceed to the general causation Daubert hearing in the MDL; plaintiffs may amend these disclosures upon a showing of good cause. The parties shall meet and confer about the format of these disclosures.

s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge