



NIGH GOLDENBERG
RASO & VAUGHN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

IN RE: DEPO-PROVERA (DEPOT
MEDROXYPROGESTERONE
ACETATE) PRODUCTS LIABILITY
LITIGATION

This Document Relates to:
All Cases

Case No. 3:25-md-3140

Judge M. Casey Rodgers
Magistrate Judge Hope T. Cannon

PRETRIAL ORDER NO. 23
(Identification of Deficiencies in Complaints)

The Parties have conferred and agreed on a process for identifying potential deficiencies in Plaintiff Complaints. The Court agrees that an efficient and organized process for evaluating all Plaintiffs' initial pleadings, including their compliance with the direct filing procedures in Pretrial Order ("PTO") No. 10, is important to the effective management of the MDL.

Complaints in the MDL must contain the following allegations:

1. The Plaintiff has a **Requisite Physical Injury**—i.e., Meningioma, Intracranial meningioma, Intercranial meningioma, Cranial meningioma, Brain meningioma, Meninges tumor, Arachnoid tumor (but not arachnoid cyst), Convexity meningioma, Falcine meningioma, Parasagittal meningioma, Intraventricular meningioma, Skull base meningioma, Sphenoid wing meningioma, Olfactory groove meningioma, Posterior fossa/petrous meningioma, Suprasellar meningioma, Recurrent meningioma, Foramen magnum meningioma, Meningothelial meningioma, Fibrous meningioma, Psammomatous meningioma, Angiomatous meningioma, and/or Secretory meningioma.

2. The Requisite Physical Injury resulted from and/or was exacerbated by the Plaintiff's use of a **Requisite Product**—i.e., Depo Provera, Depo-Provera, DPCI, Depo Provera IM, DMPA, Depot medroxyprogesterone acetate, Medroxyprogesterone Acetate, MPA, IM MPA, Depo-SubQ Provera 104, Greenstone Medroxyprogesterone, Greenstone MPA, Prasco Medroxyprogesterone, and/or Prasco MPA.
3. The **citizenship of the Plaintiff**, in a Threshold Allegations or jurisdiction and venue section in the body of the Complaint. *See* PTO 10.
4. The **citizenship of each named Defendant**, in a Threshold Allegations or jurisdiction and venue section in the body of the Complaint (must identify and include the citizenship of the individual members of any named Defendant, or member, that is an LLC, LLP, or unincorporated entity). *See* PTO 10.
5. For **Direct-Filed** Complaints Only:
 - a. The **Designated Forum** (the federal district in which the Plaintiff would have filed his or her case in the absence of direct filing in the MDL Court), which must be listed in the bottom right corner of the **case caption**, by federal District and Division. *See* PTO 10.
 - b. The **Designated Forum** must also be listed in a Threshold Allegations or jurisdiction and venue section in the **body of the Complaint**. *See* PTO 10.

BrownGreer will review Complaints for deficiencies as outlined in the protocol attached as Exhibit A.¹ Specifically, if BrownGreer identifies a deficiency, it will notify the Plaintiff, who will then have an opportunity to cure by submitting an Amended Complaint to BrownGreer within two business days, as detailed in Exhibit A.² BrownGreer will then review the Complaint again for compliance. If

¹ A more detailed overview of the standard procedure for analysis of the deficiencies in Complaints can be found in the Case Information section on the home page of the MDL Centrality Depo-Provera portal available at www.mdlcentrality.com.

² No alterations to the Complaint are authorized by this Order except as necessary to cure deficiencies in these threshold allegation requirements.

BrownGreer finds the defect is cured, it will so notify the Plaintiff, who may then file the amended pleading on the individual docket without moving for leave to amend. BrownGreer will inform the Court of any Plaintiff who has failed to cure the deficiency(cies) identified through this process. In those instances, the Court will first enter a docket annotation on the individual docket directing the Plaintiff to address the remaining deficiencies by filing an Amended Complaint within seven days. If an individual Plaintiff does not timely comply, the Court will issue a formal Order to Show Cause to address the deficiency or otherwise demonstrate why sanctions, up to and including dismissal, should not be imposed.

The standardized templates attached as Exhibit B (for a Direct Filed Complaint) and Exhibit C (for a Complaint filed in another district that will be transferred to the MDL Court) contain the threshold allegations that must be included in all Complaints. Plaintiffs are encouraged to take advantage of these standardized templates, which may also be found in Word format in each user Portal with BrownGreer.

The Court notes that a majority of the Complaints already filed in this Court or in other districts and transferred to this MDL do not contain the requisite threshold allegations. All Complaints filed to date in the MDL, including in transferred cases, will be reviewed for deficiencies and evaluated by the process described in this Order and its attachments. Counsel for the Plaintiffs in all currently pending cases may

proactively submit an Amended Complaint to correct any existing deficiencies, without awaiting the BrownGreer evaluation and without moving individually for leave of Court, within 20 days from the date of this Order.

SO ORDERED this 12th day of May, 2025.

M. Casey Rodgers

M. CASEY RODGERS

UNITED STATES DISTRICT JUDGE