



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

<b>IN RE: HAIR RELAXER MARKETING SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION</b>	<b>MDL No. 3060</b> <b>Case No. 23 C 818</b> <b>Judge Mary M. Rowland</b>  <b>This document relates to:</b> <b>All Cases</b>
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**CASE MANAGEMENT ORDER NO. 13  
(Pro Se Protocol)**

This order seeks to formalize the process by which Motions to Withdraw as Counsel are addressed by the Court in MDL 3060, to allow Plaintiffs' Leadership and Defendants transparency into the notice and communication by which Plaintiffs are made aware of their responsibilities as *pro se* Plaintiffs who will no longer be represented by counsel if a Motion to Withdraw is granted, and lastly, to provide guidance to unrepresented Plaintiffs of their obligations to prosecute their cases or risk dismissal.

**I. Pending Motions to Withdraw**

This protocol is intended to apply to any pending Motions to Withdraw filed in member cases in MDL 3060 as well as future motions to withdraw which may be filed in the Northern District of Illinois MDL member docket.

**II. Pro Se Liaisons**

A *Pro Se* Liaison will be appointed on behalf of Plaintiffs' Leadership as well as Defendants. Plaintiffs' *Pro Se* Liaison will be Sara Aguiñiga, DiCello Levitt, Email: [saguiniga@dicellolevitt.com](mailto:saguiniga@dicellolevitt.com). The Defense *Pro Se* Liaison will be Timothy McCann, Hawkins Parnell, Email: [tmccann@hpylaw.com](mailto:tmccann@hpylaw.com). The *Pro Se* Liaisons will not directly represent or advocate on behalf of a *pro se* Plaintiff but shall act only as liaisons with the Court, and each other as needed, for information, communication, and notice purposes. The Parties may, from time to time, reach

out to *pro se* Plaintiffs and jointly report to the Court on the status of *pro se* Plaintiffs in a Joint Status Report. Periodically, the Court may schedule telephonic conferences with the *Pro Se* Liaisons and *pro se* Plaintiffs, as needed. This is for docket management purposes in this litigation and should not be interpreted by *pro se* Plaintiffs as alleviating their obligations to stay up to date on and in compliance with their case management obligations. Plaintiffs who proceed *pro se* (without counsel) will be held to the same standards and obligations as Plaintiffs who are represented by counsel in this litigation.

### **III. Notice of Motion to Withdraw**

Counsel seeking to withdraw as counsel must complete and file the attached Motion to Withdraw in the Northern District of Illinois MDL member case (“Motion Template”, attached as Exhibit A). Other forms of Motions to Withdraw will not be accepted by the Court. Before doing so, Counsel must comply with Local Rules and all meet and confer obligations. Counsel must confer with all named defendants to determine whether a defendant objects to the motion.<sup>1</sup> In addition to these meet and confer obligations, Counsel must confer with Defense *Pro Se* Liaison Counsel before filing a motion to withdraw and adhere to all communication obligations with their client. The Motion Template must be completely filled out and all obligations herein must be met. Additionally, counsel must serve the Motion to Withdraw via the individual Plaintiff’s portal on MDL Centrality, in addition to serving a copy of the Motion and this CMO on their client.

### **IV. Obligation of Counsel to Submit Identifying Information**

Counsel seeking to withdraw representation of a Plaintiff in this litigation must ensure all necessary personal information for the Plaintiff is submitted before a withdrawal will be granted. First, counsel must submit, via MDL Centrality, to the extent not already submitted pursuant to

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<sup>1</sup> Defense counsel contacts for each Defendants were provided to Plaintiffs’ Leadership and are the same as for dismissals or amendment of short form complaints.

CMOs 10 and 11, Plaintiff's full name (including middle name), Social Security number, date of birth, current mailing address, phone number, and email address.<sup>2</sup> In addition, Counsel must complete and file, under seal, the Plaintiff Contact Information Form, attached as Exhibit B, with the motion to withdraw. Counsel may file the Plaintiff Contact Information Form under seal without filing a motion to seal the Form.

**V. Mandatory *Pro Se* Court Conferences**

The Court will hold a *Pro Se* Court Conference (video hearing) to address pending withdrawal motions ("Pro Se Court Conference"), with the frequency and timing dependent on the volume. Court staff, in coordination with the *Pro Se* Liaisons, will notify Plaintiffs whose counsel is seeking to withdraw from representation about a *Pro Se* Court Conference setting via mailed notice, utilizing the mailing address submitted to the Court by counsel with their motion to withdraw.

The hearings will be held by videoconference and attendance is mandatory. For Plaintiffs who fail to attend their noticed *Pro Se* Court Conference, the Court will reset their *Pro Se* Court Conference to be repeated twenty-one (21) days later. **Any Plaintiff who is provided notice in accordance with this order and does not appear at either the initial or follow-up *Pro Se* Court Conference will be dismissed with prejudice for want of prosecution and the motion to withdraw denied as moot.**

At the hearings, the Court will advise Plaintiff(s) of their representation status, pending discovery obligations, current scheduling orders, and any potential or pending dismissal process. Once a Plaintiff whose counsel of record has moved to withdraw appears at a *Pro Se* Court

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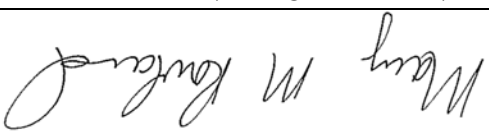
<sup>2</sup> Similar information is requested under CMO 11 as part of each Plaintiff's Registration with MDL Centrality. This CMO enumerates additional data points to be provided for communication purposes for the Court, Defense *Pro Se* Liaison, and Plaintiffs *Pro Se* Liaison.

Conference, the Court will proceed with ruling on Plaintiff's counsel's pending motion, if it has been pending for at least seven (7) days. Defendants have seven (7) days to file an objection, if any, to a motion to withdraw, from day of filing.

**VI. Change in Pro Se Status**

If a *pro se* Plaintiff secures new counsel representation, the new counsel must contact *Pro Se* Liaisons for both Plaintiffs and Defendants and provide them with the counsel's name, firm name, and contact information, and the client's name, case number, and MDL Centrality number within fourteen (14) days of appearing in this litigation.

E N T E R:

  
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MARY M. ROWLAND  
United States District Judge

Dated: November 8, 2024