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NIGH GOLDENBERG
RASO & VAUGHN

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION**

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MDL No.2:18-mn-2873-RMG

CASE MANAGEMENT ORDER NO. 26K

This Order Relates to All Actions

**SCHEDULING ORDER GOVERNING GROUP B PERSONAL
INJURY BELLWETHER TRIAL POOL CASES**

On December 30, 2024, the Court issued CMO 26F amending the scheduling of discovery in the “Group B” CMO 26 personal injury bellwether cases and directing the Parties to propose between two and four Additional Discovery Pool Plaintiffs alleging ulcerative colitis. [ECF 6526]. On March 14, 2025, the Parties jointly proposed three Additional Discovery Pool Plaintiffs alleging ulcerative colitis to proceed to Tier 1 Discovery. [ECF 6791]. The Court approved the selection of these three Plaintiffs on April 3, 2025. [ECF 6914]. On April 25, 2025, the Court issued CMO 26H amending the schedule for completing further discovery in those additional Tier 1 Group B cases. [ECF 7040]. The Court now issues the following CMO governing further case selection and discovery proceedings in the Group B cases. All other terms set forth in CMO 26F and CMO 26H remain in full force and effect unless expressly stated otherwise herein.

General Schedule for Additional Tier 1 Group B Cases Alleging Ulcerative Colitis

1. The deadline for Tier 1 Discovery as to the Additional Discovery Pool Plaintiffs is amended from August 11, 2025 to August 22, 2025.
2. The parties are presently in the process of scheduling depositions of certain third-party medical personnel who treated Additional Discovery Pool Plaintiffs. Plaintiffs will not object to those depositions taking place after August 22, 2025, so long as subpoenas for those individuals are served

prior to August 22, 2025 and/or the parties are working together in good faith prior to August 22, 2025 to secure dates for those depositions without the need for a subpoena.

3. By August 29, 2025, the parties will meet and confer as to which of the Additional Discovery Pool Plaintiffs (if any) should advance and be included in the Tier 2 Group B bellwether cases.

4. By September 5, 2025, the parties are to submit their recommendations to the Court as to which of the Additional Discovery Pool Plaintiffs (if any) should advance and be included in the Tier 2 Group B bellwether cases or, in the absence of agreement, the parties will submit simultaneous competing proposals.

5. If the additional depositions referenced in Paragraph 2 above are not able to be scheduled for dates prior to August 29, 2025, the parties shall meet and confer regarding whether an extension of the deadlines in Paragraphs 3 and 4 is warranted.

General Schedule for Tier 2 Group B Cases

6. Fact discovery for the Tier 2 Group B bellwether cases shall continue through December 19, 2025.

7. On or before December 19, 2025, the parties shall meet and confer regarding a schedule for further proceedings in these Group B cases, including as to expert discovery.

IT IS SO ORDERED.

Dated: August 5, 2025
Charleston, South Carolina

s/Richard M. Gergel
Hon. Richard M. Gergel
United State District Judge