

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE: BIOZORB DEVICE PRODUCTS
LIABILITY LITIGATION**

Case No. 1:22-cv-11895-ADB

This Document Relates to: Plaintiffs Kimberly Taylor (No. 1:23-cv-10260), Beth Deuel (No. 1:23-cv-10579), Cynthia Kresch (No. 1:23-cv-10260), and Pamela Gibson (No. 1:23-cv-10599)

SCHEDULING ORDER

The Court, having considered the Parties' joint motion, finds that good cause exists to re-set certain pre-trial deadlines in the first and second bellwether cases (*Taylor* and *Deuel*); and (2) set further pre-trial deadlines in the second, third, and fourth bellwether cases (*Deuel*, *Kresch*, and *Gibson*). Accordingly, the Court hereby ORDERS the following schedule and deadlines for the pre-trial events listed below:

EVENT	DATE
Deadline to file pre-trial briefs pursuant to Local Rule 16.5 in <i>Taylor</i>	12/12/2025
Pretrial Conference in <i>Taylor</i>	1/6/2026
Trial begins in <i>Taylor</i>	1/20/2026
Deadline to file motions for summary judgment ("MSJs") in <i>Deuel</i>	10/17/2025
Deadline to file oppositions to MSJs in <i>Deuel</i>	11/7/2025
Deadline to file replies in support of MSJs in <i>Deuel</i>	11/21/2025
Deadline to file motions <i>in limine</i> in <i>Deuel</i>	11/21/2025
Deadline to file oppositions to motions <i>in limine</i> in <i>Deuel</i>	12/10/2025
Deadline to file replies in support of motions <i>in limine</i> in <i>Deuel</i>	12/19/2025
Deadline to serve affirmative deposition designations in <i>Deuel</i>	12/19/2025
Deadline to serve objections to affirmative deposition designations and counter-designations in <i>Deuel</i>	1/7/2026

EVENT	DATE
Deadline to exchange Exhibit and Witness Lists in <i>Deuel</i>	1/12/2026
Deadline to file pre-trial memorandums in <i>Deuel</i>	1/14/2026
Deadline to serve objections to counter-designations ¹ in <i>Deuel</i>	1/21/2026
Deadline to file pre-trial briefs pursuant to Local Rule 16.5 in <i>Deuel</i>	2/3/2026
Deadline to serve objections to Exhibits ² and Witnesses in <i>Deuel</i> ³	2/10/2026
Pretrial Conference in <i>Deuel</i>	2/10/2026
Trial begins in <i>Deuel</i>	2/23/2026
Deadline to complete case-specific fact discovery in <i>Kresch</i> and <i>Gibson</i> ⁴	10/23/2025
Deadline for plaintiffs to serve expert reports for experts specific to <i>Kresch</i> and <i>Gibson</i> ⁵	10/31/2025
Deadline for defendant to serve expert reports for experts specific to <i>Kresch</i> and <i>Gibson</i>	11/21/2025
Deadline for plaintiffs to serve rebuttal expert reports for experts specific to <i>Kresch</i> and <i>Gibson</i>	12/3/2025
Deadline to complete expert depositions for experts specific to <i>Kresch</i> and <i>Gibson</i> ⁶	12/30/2025
Deadline to file MSJs and <i>Daubert</i> motions for case-specific experts in <i>Kresch</i> and <i>Gibson</i>	1/30/2026
Deadline to file oppositions to MSJs and case-specific <i>Daubert</i> motions in <i>Kresch</i> and <i>Gibson</i>	2/20/2026
Deadline to file replies in support of MSJs and case-specific <i>Daubert</i> motions in <i>Kresch</i> and <i>Gibson</i>	3/4/2026

¹ As previously agreed, *see* ECF No. 218 at 2, the Parties may also serve designations of testimony needed to complete any counter-designations on this date consistent with Federal Rule of Evidence 106. This applies to all bellwether plaintiffs.

² As previously agreed, *see* ECF No. 218 at 2, the Parties shall meet and confer regarding exhibits which can be stipulated as admissible as well as the most efficient way to address any such objections and the admissibility of evidence. This applies to all bellwether plaintiffs.

³ The Parties acknowledge that this proposed deadline may impact their ability to identify agreed-upon exhibits and exhibits that are objected to in their pre-trial briefs for *Deuel*, and can revise this deadline if the Court has any concerns.

⁴ As the Parties previously agreed for *Deuel*, *see* ECF No. 218 at 1, on a deposition-by-deposition basis, non-essential fact depositions for *Kresch* and *Gibson* may be taken after the fact discovery deadline by agreement of the Parties.

⁵ As before, the Parties shall provide two (2) proposed deposition dates for each expert with service of their reports. The Parties agree that the depositions of experts who have previously been deposed will be limited to 3.5 hours per plaintiff.

⁶ Pursuant to the Bellwether Order, Plaintiffs' experts shall be deposed before Defendant's experts. *See* ECF No. 84 at 10; *see also* ECF No. 218 at 2.

EVENT	DATE
Deadline to serve affirmative deposition designations (company witnesses) in <i>Kresch</i>	1/16/2026
Deadline to serve objections to affirmative deposition designations and counter-designations (company witnesses) in <i>Kresch</i>	2/2/2026
Deadline to file motions <i>in limine</i> for <i>Kresch</i>	2/6/2026
Deadline to serve objections to counter-designations (company witnesses) in <i>Kresch</i>	2/9/2026
Deadline to serve affirmative deposition designations (plaintiff-specific witnesses) in <i>Kresch</i>	2/11/2026
Deadline to exchange Exhibit and Witness Lists in <i>Kresch</i>	2/13/2026
Deadline to file oppositions to motions <i>in limine</i> for <i>Kresch</i>	2/17/2026
Deadline to file pre-trial memorandums in <i>Kresch</i>	2/17/2026
Deadline to serve objections to affirmative deposition designations and counter-designations (plaintiff-specific witnesses) in <i>Kresch</i>	2/23/2026
Deadline to file replies in support of motions <i>in limine</i> for <i>Kresch</i>	2/24/2026
Deadline to serve objections to counter-designations (plaintiff-specific witnesses) in <i>Kresch</i>	3/5/2026
Deadline to serve objections to Exhibits and Witnesses in <i>Kresch</i>	3/9/2026
Deadline to file pre-trial briefs pursuant to Local Rule 16.5 in <i>Kresch</i>	3/9/2026
Pretrial Conference in <i>Kresch</i>	3/16/2026
Trial begins in <i>Kresch</i>	3/30/2026
Deadline to serve affirmative deposition designations (company witnesses) in <i>Gibson</i>	3/2/2026
Deadline to file motions <i>in limine</i> for <i>Gibson</i>	3/9/2026
Deadline to serve objections to affirmative deposition designations and counter-designations (company witnesses) in <i>Gibson</i>	3/16/2026
Deadline to serve affirmative deposition designations (plaintiff-specific witnesses) in <i>Gibson</i>	3/16/2026
Deadline to exchange Exhibit and Witness Lists in <i>Gibson</i>	3/17/2026
Deadline to file oppositions to motions <i>in limine</i> for <i>Gibson</i>	3/18/2026
Deadline to file pre-trial memorandums in <i>Gibson</i>	3/18/2026
Deadline to file replies in support of motions <i>in limine</i> for <i>Gibson</i>	3/24/2026
Deadline to serve objections to counter-designations (company witnesses) in <i>Gibson</i>	3/25/2026
Deadline to serve objections to affirmative deposition designations and counter-designations (plaintiff-specific witnesses) in <i>Gibson</i>	3/25/2026

EVENT	DATE
Deadline to serve objections to counter-designations (plaintiff-specific witnesses) in <i>Gibson</i>	4/6/2026
Deadline to serve objections to Exhibits and Witnesses in <i>Gibson</i>	4/6/2026
Deadline to file pre-trial briefs pursuant to Local Rule 16.5 in <i>Gibson</i>	4/6/2026
Pretrial Conference in <i>Gibson</i>	4/13/2026
Trial begins in <i>Gibson</i>	4/27/2026

IT IS SO ORDERED.

Dated: 10/16/2025


 The Honorable Allison D. Burroughs
 United States District Judge