

NIGH GOLDENBERG
RASO & VAUGHN

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK

IN RE DEPO PROVERA LITIGATION

CASE MANAGEMENT ORDER NO. 1

INDEX NO. 788000/2025

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WHEREAS, the New York Coordinating Panel issued an Order dated July 10, 2025, ordering all cases filed in the Supreme Court of the State of New York in which plaintiffs allege the development of meningioma in connection with the use of the medication Depo-Provera, including those that will be later commenced in or transferred to New York State, be coordinated (hereinafter “New York Coordinated Proceedings”);

WHEREAS, the undersigned was appointed as the State Coordinating Justice;

IT IS HEREBY ORDERED THAT this Case Management Order (“CMO”) will apply to all cases pending in the New York Coordinated Proceedings as well as any future cases that are filed in, transferred to, or otherwise pending in this Court alleging the development of meningioma in connection with the use of the medication Depo-Provera. The Court directs as follows:

- I. Ellen Relkin of Weitz & Luxenebrg , P.C. is appointed as liaison counsel for the Plaintiffs.
- II. Master File and Individual Files:
 - a. The cases herein are coordinated under Uniform Rule for New York State Trial Courts (22 NYCRR) § 202.69 for pre-trial purposes only pursuant to the State of

New York Litigation Coordinating Panel's July 10, 2025 Order, and not consolidated. The Court hereby directs that a master file, known as *In Re Depo-Provera Litigation* Master File, Index No. 788000/2025, shall be established, without fee, in the Office of the Clerk of New York County for all Depo-Provera-related cases currently assigned or assigned in the future to the undersigned. The original of this Order and of all subsequent Case Management Orders entered shall be filed by the County Clerk in the *In Re Depo-Provera Litigation* Master File, and copies of each Order shall be deemed to be part of the record of each coordinated action. All subsequent entries in the *In Re Depo-Provera Litigation* Master File shall also be applicable to all individual cases.

- b. A separate file shall also be maintained in the Office of the Clerk of New York County under a separate Index Number for each individual Depo-Provera case assigned to this Court, and case-specific entries shall be made therein in accordance with this Order.

III. Filing of Papers:

- a. When a document has general applicability to all cases in the *In Re Depo-Provera Litigation*, the caption shall so indicate and shall bear Index No. 788000/2025 and the Clerk of the New York Court shall file such a document in the *In Re Depo-Provera Litigation* Master File number and no other copies shall be filed with the Court except courtesy copies to be supplied in the undersigned chambers. Any document so filed shall be deemed to have been filed in each case to which this Order applies and shall constitute part of the record of each case.

- b. When a document is applicable only to an individual case or cases, the attorney submitting such document for filing shall caption the document to indicate the case(s) to which it is applicable. The Clerk of the New York County Court shall not file such a document in the *In Re Depo-Provera Litigation* Master File; rather, after receipt by the Clerk, the Clerk shall file in the captioned individual case file under the appropriate index number.

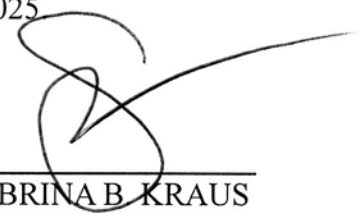
IV. Case Schedule

Further in light of the number of cases and parties involved, the Court has determined that special case management measures will promote efficient resolution of these actions. To that end, scheduling in the New York Coordinated Proceedings will prioritize a threshold ruling on the issue of general causation that will be applicable to all matters in the New York Coordinated Proceedings. This schedule will allow coordination of general causation proceedings in this Court with those occurring in the federal Depo-Provera Multi-District Litigation (MDL) pending in U.S. District Court for the Northern District of Florida. The Court understands that Defendants have already produced to counsel for Plaintiffs in these proceedings millions of pages of documents relating to general causation that they produced in the Depo-Provera MDL, as well as transcripts of depositions of Defendants' employees that were taken in the MDL. Accordingly, the following deadlines are hereby ORDERED THAT:

October 24, 2025	Supplemental general causation discovery opens.
December 1, 2025	Supplemental general causation discovery closes.
December 1, 2025	Plaintiffs to serve general causation expert disclosures. On this date, Plaintiffs shall identify two available dates for deposition per expert.

January 9, 2026	Defendants to serve responsive expert disclosures on general causation. On this date, Defendants shall identify two available dates for deposition per expert.
February 20, 2026	Deadlines for all expert depositions.
March 22, 2026	<i>Frye</i> motions regarding general causation to be filed. ¹
April 21, 2026	Opposition to <i>Frye</i> motions to be filed.
April 28, 2026	Replies in support of <i>Frye</i> motions to be filed.

SO ORDERED on this 29th day of October, 2025



HON. SABRINA B. KRAUS
JSC

¹ The parties shall meet and confer regarding the page limits and structure of *Frye* briefing and shall submit a proposed case management order sufficiently in advance of this date to resolve any disputes before this deadline.