

NIGH GOLDENBERG
RASO & VAUGHNSUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

IN RE: DEPO PROVERA LITIGATION

**ORDER REGARDING
APPOINTMENT OF DATA
ADMINISTRATOR AND
PARTIES' USE OF MDL
CENTRALITY**

INDEX NO. 788000/2025

**Order Regarding Appointment of Data Administrator and Parties' Use of
MDL Centrality****I. Appointment of Data Administrator**

The Court finds that the complexity and volume of data and documents that will be exchanged in this litigation merits a formal appointment of a Data Administrator to assist the Court and Parties with data organization and analysis. Accordingly, it is hereby **ORDERED** as follows:

1. *Appointment.* BrownGreer PLC is appointed to serve as Data Administrator in this New York Coordinated Proceeding.

2. *Definition.* "Data" in this Order means any information, documents, or other materials submitted to the Court or exchanged among the Parties during this litigation, other than pleadings or other documents filed in the master docket or individual docket of each related action.

3. *Duties of the Data Administrator.* The Data Administrator may perform the following duties:

(a) *Data Administration Procedures:* Issue Data Administration procedures to govern the collection and analysis of Data in this litigation.

(b) **Data Submission Standard:** Establish minimum standards for Data submitted to the Data Administrator by any party to address the method, format, and timing of the submission of such Data and documents required by any Order in this litigation.

(c) **Plaintiff Information Clearinghouse:** Implement a system designed to collect identifying information on all persons who are or intend to participate in this Coordinated Proceeding, including first and last name of the person who alleges harm, date of birth, Social Security Number (or other tax identification number), mailing address, and email address. If the person alleging harm is a minor, deceased, or incompetent, the Data Administrator will collect identifying information for the representative of that person.¹

(d) **Plaintiff Form Data Collection and Analysis:** If the Court determines that the interests of the litigation would be served by the collection of plaintiff information through any standardized form, host a centralized collection website to collect, aggregate, and analyze submissions and the information.

(e) **Short Form Complaints:** Host an online complaint generator to permit completion of any required pleading and collect and store complaint information, including original jurisdiction and venue information, loss of consortium allegations, and counts alleged.

(f) **Deficiency Analysis:** Upon request by the Court or the Parties and approval by the Court, provide an analysis of untimely submissions or incomplete submissions related to any required submissions.

(g) **Third Party Information:** If a third party possesses information related to the plaintiffs in this litigation that needs to be integrated into other data collected in the courts of this litigation,

¹ The Court has entered a Stipulated Protective Order governing the Data that provides for the security of this identifying information.

collaborate with that third party to determine the best methods to collect and make this third-party data available to the Court and the Parties.

(i) ***Discovery Repository:*** Host a repository for general discovery materials exchanged by the Parties, including requests for production, interrogatories, subpoenas, deposition notices, deposition transcripts, privilege logs, and other discovery Data.

(j) ***Service of Process:*** As agreed by the Parties and approved by the Court, provide the mechanism for service of Data upon and among the Parties.

(k) ***Party and Leadership Communications:*** Assist the Parties for exchange and storage of communications among the Parties and Leadership.

(m) ***Prevention of Dual Representation and Duplicative Case Filing:*** Design and maintain a system to minimize overlapping representation and duplicative case filings in this Coordinated Proceeding. If directed by the Court, BrownGreer may coordinate with other state proceedings or the federal litigation captioned as *In re Depo-Provera (Depot Medroxyprogesterone Acetate) Products Liability Litigation*, Case No. 3-25-md-3140 (N.D. Fla.) (the “MDL”), to the extent possible, to accomplish this goal.

(n) ***Docket Management:*** The Clerk of Court is to add the Data Administrator as a recipient of all NYSCEF notifications related to this litigation, including both the master docket and individual case dockets, to permit the Data Administrator to collect and store all pleadings and Orders in a centralized location accessible to the Parties and to the Court.

(o) ***Dismissal Tracking:*** Collect and aggregate dismissal information and report to the Court and the Parties on the cases that have been dismissed, the types of dismissal, and dates of dismissals.

(p) **Settlement:** Ensure that Data collected throughout the course of this litigation is useful to administer any settlement that may arise.

(q) **Service:** The Court understands that Pfizer Inc., Pharmacia LLC, and Pharmacia & Upjohn LLC have agreed to receive service in the New York Coordinated Proceeding via MDL-Centrality and, even before the entry of this Order, accepted service via those means.

(r) **Other Duties:** Assist the Court and the Parties with any aspect of any other Data-related matters, as the Court approves or directs.

4. No Impact on Privileges or Work Product Protection. Nothing in this Order alters or otherwise waives or affects any attorney-client privilege or work product doctrine protection applicable to Data in the absence of the use the systems created by the Data Administrator. Unless otherwise directed by the Court, any request for analysis or consultation with the Data Administrator will be the work product of such user unless and until the material is served on or purposefully disclosed to an opposing party. Pursuant to Commercial Division Rule 11-c, this directive with respect to privilege and work product doctrine protection applies to any other state or federal proceeding.

5. Compensation. The Data Administrator will be compensated by the Parties in accordance with an agreement between the Data Administrator and the Parties, as approved by the Court.

II. Parties' Use of MDL Centrality

1. Creation of MDL Centrality Accounts and File Management.

A. Each Plaintiff, by counsel or *pro se*, must establish a secure online portal in the MDL Centrality online system and obtain authorized usernames and secure login passwords to permit use of MDL Centrality by such counsel or Plaintiff with

fourteen (14) days of filing their Complaint or transfer to this Coordinated Proceeding. For cases already filed in, or transferred to, this Coordinated Proceeding, counsel will have fourteen (14) days after the date of this Order. Except as set forth herein, counsel for a Plaintiff, or each *pro se* Plaintiff, will be permitted to view, search, and download on MDL Centrality only those materials submitted by that Plaintiff, and by Defendants relating to that Plaintiff, and not materials submitted by or relating to other Plaintiffs.

- B. Each Defendant must, through counsel, establish a secure online portal with the MDL Centrality online system and obtain authorized usernames and secure login passwords to permit use of MDL Centrality by Defendant's counsel. At least one attorney for each Defendant must create an MDL Centrality account for this litigation within fourteen (14) days after the date of this Order.
- C. Each Plaintiff and Defendant must use the MDL Centrality System to obtain, complete, or upload data, and must upload the appropriate documents online (including the upload of PDFs or other electronic records required by the Plaintiff Proof of Use/Injury Questionnaire).
- D. Submission of a completed Document will be deemed to occur when the submitting party has performed each of the steps required by the MDL Centrality System to execute the online submission of the materials, and the submitting party has received confirmation on screen that the Document has been successfully submitted.
- E. On upload of any Complaint or other document to the MDL Centrality online system, each party being served must be automatically notified by the MDL

Centrality system of service via email at the email address associated with such Parties' username and service will be deemed to occur upon issuance of such email.

- F. The Court may establish a secure online portal with the MDL Centrality online system and obtain an authorized username and secure login password to permit use of MDL Centrality by the Court (and Special Masters, as the Court may direct) for access to reports and data regarding the Plaintiff Proof of Use/Injury Questionnaire served through MDL Centrality.

2. HIPAA Authorizations. By using MDL Centrality, each Plaintiff authorizes the disclosure of his or her medical records and other health information submitted to BrownGreer as the administrator of the MDL Centrality System, the Court, Plaintiffs' Leadership and Defendants, and to the authorized agents, representatives and experts of the foregoing, in accordance with and as permitted by the terms of the Stipulated Order Governing Confidentiality. BrownGreer is responsible for the maintenance, confidentiality, and security of records contained on the MDL Centrality System.

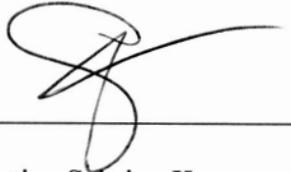
4. No Impact on the Scope of Discovery. Use or action in MDL Centrality will not be deemed to limit the scope of inquiry at depositions and/or admissibility of evidence at trial. The scope of inquiry at depositions will remain governed by the Civil Practice Law and Rules ("CPLR"), and the admissibility of information will be governed by the CPLR and applicable law. No objections or rights are waived as a result of any response in the Plaintiff Proof of Use/Injury Questionnaire.

5. ECF Notifications: The Clerk of Court should take all the steps necessary to include BrownGreer as the MDL Centrality Administrator as an interested party for purposes of receiving emailed ECF notifications related to this matter.

6. *Decommissioning.* The Parties must negotiate the decommissioning of the MDL Centrality System at an appropriate future time, through an Order of the Court.

The Parties are advised that the MDL Centrality online system, www.mdlcentrality.com, is now operative. Therefore, all Plaintiffs' counsel, *pro se* Plaintiffs, and Defense counsel in any currently filed member case in this Coordinated Proceeding have 14 days from the date of this Order to secure an online portal in the MDL Centrality online system and obtain authorized usernames and secure login passwords to permit use of MDL Centrality.

SO ORDERED this 29th day of October, 2025.


Justice Sabrina Kraus