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

IN RE DEPO-PROVERA LITIGATION

**STIPULATED ORDER
GOVERNING GENERAL
DENIAL AND PRELIMINARY
STATEMENT OF DEFENSES IN
LIEU OF ANSWERS**

INDEX NO. 788000/2025

**Stipulated Order Governing General Denial and Preliminary Statement of Defenses
in Lieu of Individual Answers**

1. According to the Parties, they anticipate dispositive motions to be filed regarding the common defenses of preemption and general causation. They also anticipate that the Court's rulings on these motions will apply to all claims in the New York Coordinated Proceedings. To that end, the Court hereby directed that Defendants file a master answer to the complaint in the first-filed case in which they are named that is part of the New York Coordinated Proceedings. On the dockets for all other cases pending in or transferred to the New York Coordinated Proceedings naming that Defendant, the Court will permit the filing of a general denial and affirmative defenses in lieu of an answer. Any Plaintiff seeking to voluntarily dismiss a complaint absent agreement of Defendants will need leave of Court consistent with New York Civil Practice Law and Rules ("CPLR") 3217(b). Accordingly:

2. This Order applies to all actions currently pending in the New York Coordinated Proceedings and to all related actions that have been or will in the future be directly filed in or transferred to this Court and assigned thereto (collectively, "the Coordinated Proceedings"). Any action pending in or transferred to the Coordinated Proceedings at any time will be deemed a

“Member Action.” This Order is binding on all Parties and their counsel in all Member Actions in the Coordinated Proceedings.

3. In light of the number of actions filed to date and likely to be filed in the Coordinated Proceedings, the Parties have agreed to each Defendant’s use of a general denial and preliminary statement of defenses for all cases other than the first-filed case in which that Defendant is named. This Order is not intended to alter the applicable provisions of the CPLR or the Local Rules of this Court, except as otherwise provided herein or in any subsequent order.

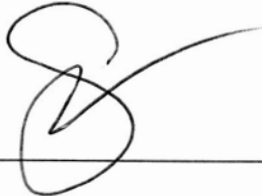
4. By October 31, 2025, in lieu of filing paragraph-by-paragraph answers to every complaint in the Coordinated Proceedings, each Defendant named in a pending case must file a paragraph-by-paragraph answer to the complaint in the first-filed case in which it is named, which will constitute that Defendant’s answer to all complaints in the Member Actions for purposes of the CPLR, including CPLR 3217. On the dockets for all other cases pending in or transferred to the Coordinated Proceedings, the Court will permit Defendants to file a general denial and affirmative defenses. General denials and affirmative defenses must be filed in all other pending cases by November 28, 2025 and, in any future cases, within thirty (30) days of filing. Any Defendant that is not named in an action pending in the Coordinated Proceedings as of the date of this Order but that is subsequently named as a Defendant in a Member Action must file its answer within thirty (30) days of the first complaint in which it is named being docketed in the Coordinated Proceedings. On the dockets for all other, later-filed cases naming that Defendant, the Court will permit the filing of general denial and affirmative defenses.

5. As of the date on which each Defendant’s master answer is filed, it will be deemed to have been filed in every current or future case naming that Defendant in the Coordinated Proceedings, without any further action required by that Defendant. The master answer is not

intended to and will not waive any applicable case-specific or state-specific defenses available to any Defendant in any Member Action, including any (a) objections to service, jurisdiction, or venue; (b) challenges to the sufficiency of any claim or cause of action in any Complaint under applicable state law; or (c) assertions of case-specific or state-specific affirmative defenses through the filing of an amended answer in an individual case. Notwithstanding the filing of a master answer, if a Defendant is later required to respond to any specific complaint, the Defendant may respond by filing a motion under CPLR 3211, including CPLR 3211(7). Any Defendant may also file counterclaims, crossclaims, and/or third-party complaints, pursuant to CPLR 3019, 1007, and 1008, in connection with any particular individual action.

6. As set forth above, after a master answer has been filed in the Coordinated Proceedings, it will be deemed adopted in all Member Actions, including actions filed and docketed in the Coordinated Proceedings after the date of this Order. As a result, following the filing of a Defendant's master answer, any Plaintiff who wishes to voluntarily dismiss any Member Action or claim asserted therein naming that a Defendant that has filed a master answer must comply with CPLR 3217(b).

SO ORDERED this 29th day of October, 2025.

A handwritten signature in black ink, appearing to be 'S. Kraus', written over a horizontal line.

Justice Sabrina Kraus