



NIGH GOLDENBERG
RASO & VAUGHN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

**IN RE: DEPO-PROVERA (DEPOT
MEDROXYPROGESTERONE
ACETATE) PRODUCTS
LIABILITY LITIGATION**

Case No. 3:25-md-3140

**This Document Relates to:
All Cases**

**Judge M. Casey Rodgers
Magistrate Judge Hope T. Cannon**

CASE MANAGEMENT ORDER NO. 11

On March 6, 2026, the Court held the eleventh Case Management Conference (“CMC”) in the *Depo-Provera (Depot Medroxyprogesterone Acetate) Products Liability Litigation*, MDL No. 3140. This was a Joint CMC held with the courts of New York (Justice Sabrina Kraus) and Delaware (Judge Kathleen Vavala). MDL Lead Counsel Chris Seeger along with Co-Lead Counsel Bryan Aylstock and Ellen Relkin appeared for Plaintiffs.¹ Defense counsel Joe Petrosinelli and Annie Showalter appeared on behalf of Pfizer. Also present were Orran Brown and Jake Woody for the Data Administrator, BrownGreer PLC; and Special Master David Herndon.

¹ Additionally, David Buchanan, Doug Monsour, Katherine Cornell, and Julia Merritt appeared for Plaintiffs and addressed the Court.

As of March 6, 2026, the member case filings had increased to 3,467 total actions, comprised of 3,790 unique Plaintiffs. This reflects that case filings have increased to around 650 per month.

Supplemental briefing on the broadly applicable preemption issue concluded on February 27, 2026. Thus, Pfizer's summary judgment motion on preemption is now fully briefed and under review. Also, the Parties report that, consistent with the previously approved schedule, general causation expert depositions have been noticed and are ongoing (scheduled from February 28 through March 20, 2026).² Briefing on any Rule 702/*Daubert* issue pertaining to the general causation experts will conclude by May 29, 2026.

The Pilot cases are in discovery. During the conference, Dave Monsour of the Plaintiff's ESI and Discovery Subcommittee and Annie Showalter for the defense reported that the Plaintiffs had met in Kalamazoo, Michigan, during the week of February 23, 2026, to review stored hard copy documents. Pfizer had coordinated the review with state court plaintiffs as well and accommodated each set of plaintiffs with separate rooms to protect their work product. The review is now complete and selected documents are being processed for production.

² Joe Petrosinelli on behalf of Pfizer noted that a state coordination issue had recently come up regarding the scheduling of defense expert depositions by a group of Delaware plaintiff lawyers. The issue will be addressed by Judge Vavala.

Julia Merritt, on behalf of the Data Administration Subcommittee, and Jake Woody, on behalf of Data Administrator BrownGreer, provided an update on the complaint and threshold proof of use/injury submissions and deficiency processes. As of March 5, 2026, only one case with a complaint deficiency had been referred to the Court and 30 cases are currently referred to the Court for deficiencies in threshold proof.³ The Parties are also actively working through the Pretrial Order No. 22A exception review process. Thus far, the Court has held two show cause hearings on PTO 22A exceptions; in each case, good cause was established and the show cause order discharged. In other instances, the issue was resolved in advance of the hearing date. As always, the Court appreciates the efforts of the Data Administrator and the Data Administration Subcommittee in helping cure deficient submissions for those seeking to satisfy the exception.

Counsel also provided updates on the progress of Depo-Provera litigation in state courts. Counsel report that there are currently 39 single-plaintiff cases in California, 95 cases (104 plaintiffs) in New York, 287 cases (405 Plaintiffs) in Delaware, 8 cases in Illinois, 2 cases in Pennsylvania, 3 multi-plaintiff cases in Connecticut, and New Mexico and Minnesota each have 1 multi-plaintiff case.

³ Jake Woody of BrownGreer reported that 94% of all complaints received are complete with no deficiencies. He also emphasized that many of the threshold proof of use deficiencies could be avoided if plaintiffs provide MDL Centrality all names that the plaintiff has used in the past, because the medical records often reflect a prior name.

Looking ahead, as previously ordered, the next Depo-Provera MDL CMC is scheduled to be held in person on **Friday, April 17, 2026, at 9:00 a.m. (CDT)**. The Parties' Joint Agenda Letter is due by **12:00 p.m. (CDT) on Monday, April 13, 2026**, to the MDL court, the New York court, the Delaware court, and the California court.

SO ORDERED this 7th day of March 2026.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE