

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**IN RE: ZANTAC (RANITIDINE)
PRODUCTS LIABILITY
LITIGATION**

**MDL NO. 2924
20-MD-2924**

**JUDGE ROBIN L. ROSENBERG
MAGISTRATE JUDGE BRUCE E. REINHART**

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THIS DOCUMENT RELATES TO: ALL CASES

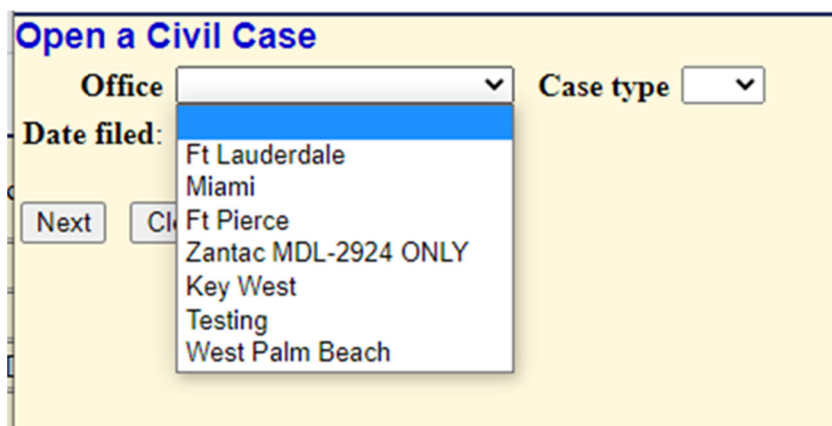
**PRETRIAL ORDER # 80
Procedures for the Filing of All Future Claims in this MDL**

Pursuant to this Court's ruling at docket entry 6228, a Registry Claimant direct-filing his or her claim in this MDL must do so by filing an individual case with an individual Short Form Complaint. At the time of this Order, each Claimant's claim is tolled for statute of limitations purposes. That tolling will expire on or about April 5, 2023. January 5 Status Conference Transcript, page 54. Because of the April 5 deadline, the Court anticipates that many thousands of Claimants will file cases in federal court soon. It is possible that more than 50,000 Claimants will file cases.

The Clerk of the Court cannot process tens of thousands of claims from the MDL Registry without an organized, mandatory, Court-ordered structure governing the filing of the claims. Without such a structure it could take many months, perhaps even more than a year, for the Claimants' cases to be processed by the Clerk's Office. Even with the structure required in this Order, however, it will likely take several months for all of the Claimants' claims to be processed by the Clerk of the Court.

Pursuant to the Court's case management authority, and also pursuant to the Claimants' agreement to be bound by the terms of this Court's pretrial orders, all Claimants¹ represented by counsel who direct-file in this District **SHALL**:

1. File his or her case **electronically**, not conventionally.
2. In the event Claimant's counsel utilizes a **certificate of understanding** to file the Claimant's case, the Clerk's Office strongly prefers that the certificate be filed electronically, not conventionally. *See* Pretrial Order # 11, page 2.
3. Use office code "**Zantac MDL-2924**" when filing as shown in the following screenshot:



4. File a counsel's notice of appearance on the main MDL docket, case 20-MD-2924, provided counsel has never previously filed such a notice of appearance.²

All *pro se* Claimants who direct-file in this District **SHALL**:

1. File his or her case **conventionally**, not electronically.
2. Register for permission to receive notices of electronic filing by e-mail, provided the Claimant has access to e-mail. The necessary form may be found on the Clerk of the

¹ This Pretrial Order applies to any Plaintiff who direct-files a case in this MDL in the future, even if that Plaintiff was not a Claimant who participated in the Registry.

² The purpose of this requirement is to ensure that counsel receives notices of electronic filing from the main MDL docket. If counsel already receives notices of electronic filing from the main MDL docket, no notice of appearance is necessary.

Court's website: <https://www.flsd.uscourts.gov/forms/consent-pro-se-litigant-non-prisoner-receive-nefs>.

Upon creation of a new MDL case, the Clerk of the Court **SHALL ADMINISTRATIVELY CLOSE AND STAY** the case.

In addition to the foregoing, the Court imposes one additional requirement on Plaintiffs/Claimants who file Non-Designated Cancer claims, which is a claim premised upon any cancer other than bladder, esophageal, gastric, pancreatic, or liver.³ For Non-Designated Cancer claims, the Plaintiff must file on the MDL docket a notice indicating that his or her Non-Designated Cancer case has been filed. The notice must include the individual case number assigned by the Clerk of the Court. The Court may utilize the notice to un-stay the Non-Designated Cancer case.


The Court addresses one final matter. Pursuant to the Court's ruling at docket entry 6228, together with the forthcoming formal written order memorializing the Court's decision, multi-Plaintiff complaints in this MDL, as proposed by the Plaintiffs, would be misjoined and therefore will be severed upon filing. The Court's ruling applies to all cases in the MDL, regardless of how the case was brought before the Court—direct-file or transfer. Therefore, if a multi-Plaintiff complaint is transferred to this District, the Court will sever the action and require separate filing fees.

The process for severance is time-consuming and labor-intensive, both for the Court and for the Clerk. Because every Claimant and Claimant's counsel is expected to be on notice of the

³ This additional requirement applies to Plaintiffs/Claimants who file Non-Designated Cancer claims together with Designated Cancer claims.

Court's ruling on severance and this Pretrial Order, the Court expects that counsel will not file multi-Plaintiff complaints in other districts which, upon transfer, will impose significant amounts of labor on the Court and the Clerk.

DONE and **ORDERED** in Chambers, West Palm Beach, Florida, this 23rd day of January, 2023.


ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE