

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

THIS DOCUMENT RELATES TO: ALL CASES

PRETRIAL ORDER # 65¹
Second Amended Second Pretrial Order Establishing Case Management Schedule

The Court previously imposed pretrial deadlines in Pretrial Order # 30. The Plaintiffs subsequently moved to modify the Pretrial Order # 30 deadlines. DE 3412. After full briefing, the Court held a hearing on the motion on June 9, 2021 (the “Hearing”). This Pretrial Order sets new pretrial deadlines in this MDL. The Court does not vacate Pretrial Order # 30; instead, to the extent the deadlines in his Order conflict with Pretrial Order # 30, this Order controls. This Order applies to all cases pending in MDL No. 2924 and to all actions transferred to or directly filed in MDL No. 2924 after the date of this Order.

This Order does not address two topics discussed at the Hearing: the schedule for discovery relating to bellwether trials and any motions for summary judgment. After carefully considering these topics, the Court concludes that the parties must work with the Special Master to determine if an agreement can be reached as to these issues and/or a proposed post-*Daubert* schedule. The Court may issue a Pretrial Order specific to these issues at a later date. The Court also intends to issue an Order at a later date setting forth the bellwether trial schedule. The Court’s vision is that bellwether trials will be conducted within 9-12 months following *Daubert* rulings.


¹ The Court **VACATES** Amended Pretrial Order # 65 at docket entry 3624 and substitutes this Second Amended Order in its place. The Court enters this Second Amended Order because the Court granted the Plaintiffs’ Motion to Amend Pretrial Deadlines at docket entry 4657.

The Court orders the following:

Deadline	Event
July 1, 2021	Parties begin discussions regarding process for selection of potential bellwether personal injury cases.
October 1, 2021	Completion of process and plan for selecting potential bellwether personal injury cases, to be refined and amended for good cause as appropriate until final bellwether selection following the Court's general causation <i>Daubert</i> ruling.
October 1, 2021	Plaintiffs' disclosures of disciplines and specializations of general causation experts, and areas of expertise relevant to each expert's general causation expert report. The parties shall meet and confer about the format of these disclosures.
November 1, 2021	Defendants' disclosures of disciplines and specializations of general causation experts, and areas of expertise relevant to each expert's general causation expert report. The parties shall meet and confer about the format of these disclosures.
November 15, 2021	Plaintiffs' supplemental disclosures, if any, of disciplines and specializations of general causation experts, and areas of expertise relevant to each expert's general causation expert report, based on Defendants' disclosures. The parties shall meet and confer about the format of these disclosures.
January 24, 2022	Completion of all fact discovery of Defendants, including on issues related to general causation, and fact discovery related to class certification.
January 24, 2022	Plaintiffs' expert reports on general causation and provision of three (3) dates on which each expert is available for deposition.
March 7, 2022	Defendants' expert reports on general causation and provision of three (3) dates on which each expert is available for deposition.
March 28, 2022	Plaintiffs' rebuttal reports, if any, on general causation.
May 31, 2022	Completion of expert depositions on general causation.
June 13, 2022	<i>Daubert</i> motions on general causation.
August 1, 2022	Oppositions to <i>Daubert</i> motions on general causation.

August 22, 2022	Replies in support of <i>Daubert</i> motions on general causation.
14 days after general causation <i>Daubert</i> ruling	The Parties will submit final Bellwether Selection Plan to the Court.
45 days after general causation <i>Daubert</i> ruling	Plaintiffs' class certification motions and expert reports.
45 days after Plaintiffs' class certification motions	Completion of depositions of Plaintiffs' class certification experts.
45 days after completion of depositions of Plaintiffs' class certification experts	Defendants' oppositions to Plaintiffs' class certification motions and expert reports. Defendants' <i>Daubert</i> motions directed to Plaintiffs' class certification experts.
45 days after Defendants' oppositions and <i>Daubert</i> motions due	Completion of depositions of Defendants' class certification experts.
30 days after completion of depositions of Defendants' class certification experts	Plaintiffs' replies in support of class certification motions and rebuttal expert reports, if any, on class certification. Plaintiffs' oppositions to Defendants' <i>Daubert</i> motions directed to Plaintiffs' class certification experts. Plaintiffs' <i>Daubert</i> motions directed to Defendants' class certification experts.
30 days after Plaintiffs' replies, oppositions and <i>Daubert</i> motions	Defendants' oppositions to Plaintiffs' <i>Daubert</i> motions directed to Defendants' class certification experts. Defendants' replies in support of <i>Daubert</i> motions directed to Plaintiffs' class certification experts.
20 days after Defendants' oppositions and replies	Plaintiffs' replies in support of <i>Daubert</i> motions directed to Defendants' class certification experts.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 15th day of November, 2021.


 ROBIN L. ROSENBERG
 UNITED STATES DISTRICT JUDGE