

**BEFORE THE UNITED STATES JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

IN RE: DEPO-PROVERA (DEPOT )  
MEDROXYPROGESTERONE ACETATE) )  
PRODUCTS LIABILITY LITIGATION ) MDL No.: 3140  
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**MEMORANDUM IN SUPPORT OF PLAINTIFFS’ MOTION FOR TRANSFER OF  
ACTIONS PURUSANT TO 28 U.S.C.  
§ 1407 FOR COORDINATED OR CONSOLIDATED PRETRIAL PROCEEDINGS**

Plaintiffs<sup>1</sup> respectfully request that the Judicial Panel on Multidistrict Litigation (hereinafter, the “Panel” or “JPML”), pursuant to 28 U.S.C. § 1407 and Rule 6.2 of the Rules of Procedure of the JPML, order the transfer of all actions listed in the attached Schedule of Actions and all subsequent tag-along actions to the United States District Court for the Central District of California, or, in the alternative to the Northern District of California.

**BACKGROUND & ARGUMENT**

Plaintiffs hereby adopt and incorporate by reference *the Memorandum in Support of Motion for Transfer of Actions to the Northern District of California Pursuant to 28 USC § 1407 for Coordinated or Consolidated Pretrial Proceedings* filed on November 26, 2024 by *Plaintiffs Kristina Schmidt, Ajanna Lawson, Monique Jones, Huyen Nguyen, Taylor Devorak, Stacey*

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<sup>1</sup> As used through this Motion for Transfer, the term “Plaintiffs” refers to: *Kathleen Fazio v. Pfizer Inc., et al.* – United States District Court for the Central District of California – Case No.: 5:24-cv-2285; *LaTosha White v. Pfizer Inc., et al.* – United States District Court for the Central District of California – Case No.: 5:24-cv-02379; & *Rachel Valera-Arceo and Fredi Valera-Arceo v. Pfizer Inc., et al.* – United States District Court for the Northern District of California – Case No.: 3:24-cv-08312.

*Williams and Carey J. Williams, Tanya Edgerton, Latrice Love Goodlett and David Foster Goodlett, and Debra Morrow*, MDL No. 3140, D.E. 1, in large part.

This Motion for Transfer is filed regarding the 28 pending Depo Provera and related authorized generic cases (“Actions”) in eight respective federal district courts. Specifically, there are currently eight cases pending in the Central District of California; nine cases pending in the Northern District of California; four cases pending in the Eastern District of California; three cases pending in the Southern District of Indiana and one case pending in each of the following: the Southern District of California, the Western District of Missouri, the District of Nevada, and the District of Massachusetts. All of the aforementioned Actions allege the same or similar injuries—development of cerebral meningioma—suffered as a result of injection of the contraceptive depot medroxyprogesterone acetate, known as “Depo-Provera” and manufactured by Defendants Pfizer, Inc., and its affiliated “authorized generic” distributors for whom Pfizer is liable.

Plaintiffs request the aforementioned Actions be assigned to Judge Josephine Staton in the Central District of California. Judge Staton is currently assigned three of the eight cases pending in the Central District of California.<sup>2</sup> Judge Staton is a seasoned and well-qualified jurist with prior experience managing MDL No. 2693, *In Re Vizio, Inc., Consumer Privacy Litigation*, which was successfully resolved in 2018, a mere two years post consolidation. The Central District of California, in Los Angeles, is a practical and convenient forum for both plaintiffs and defendants with ease of access to the courthouse, the obviation of *Lexecon* with a critical mass of California resident Plaintiffs and convenience for the parties and witnesses which would best promote just and efficient conduct of the Depo-Provera Litigation. In addition, because this case involves

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<sup>2</sup> Judge Staton is currently presiding over *Fazio v. Pfizer, et al.*, CACD 24-cv-02285; *Jones v. Pfizer, et al.*, CACD 24-cv-09195; and *Williams v. Pfizer, et al.*, CACD 24-cv-02457, in the Central District of California.

women's healthcare and women's issues, Plaintiffs believe Judge Staton is an excellent jurist to handle this unique MDL.

In the alternative, Plaintiffs agree the Northern District of California is also full of seasoned and qualified jurists to manage MDLs. Therefore, Plaintiffs alternatively request the aforementioned Actions be assigned to either Judge William Orrick or Judge Jon S. Tigar.

Plaintiffs agree that each of the aforementioned Actions arise out of the same or similar nucleus of operative facts and all arise out of the same or similar alleged wrongful conduct of Defendants. Likewise, Plaintiffs agree that each of these Actions will involve the resolution of the same or similar questions of fact and law, as they all arise from Defendants' same and similar alleged wrongful conduct. Discovery conducted in each of these Actions will be substantially similar and will involve the same documents and witnesses, because each Action arises from the same or similar nucleus of operative facts. Therefore, no prejudice or inconvenience will result from the transfer, coordination and consolidation of the related Actions to the Northern District of California.

### **CONCLUSION**

Transfer of the aforementioned Actions will promote the just and efficient litigation of same Actions by avoiding possibility of inconsistent pretrial rulings regarding discovery, causation, and resolution of the same or similar questions of law and fact.

For all of the forgoing reasons as well as those incorporated by reference, Plaintiffs respectfully request that the Panel grant their motion and transfer these cases, as well as all subsequently filed related actions, for coordinated and consolidated pre-trial proceedings to the U.S. District Court for the Central District of California before Judge Josephine Staton. Or, in the

alternative, Plaintiffs request transfer to the Northern District of California, San Francisco vicinage before Judge Orrick or Judge Tigar.

Respectfully submitted,

**ANAPOL WEISS**

DATE: December 10, 2024

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