

**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-MCR-HTC

This Document Relates to:  
All Cases

Judge M. Casey Rodgers  
Magistrate Judge Hope T. Cannon

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**PRETRIAL ORDER NO. 2**

By order of the Judicial Panel on Multidistrict Litigation (“the Panel”) dated February 7, 2025, the Depo-Provera (Depot Medroxyprogesterone Acetate) Products Liability Litigation was centralized and transferred to this Court. To facilitate the efficient and orderly management of this MDL, the Court *sua sponte* establishes the following interim procedures:

**I. Applicability of Order**

Prior to the initial case management conference and entry of a comprehensive case management order governing all further proceedings in this case, the provisions of this Order will govern practice and procedures in the actions transferred to this Court by the Panel, and in all related actions that have been or will be filed in, removed to, or transferred to this Court.

## **II. Consolidation**

The actions listed on Schedule A are hereby consolidated for pretrial purposes. Any tag-along actions later filed in, removed to, or transferred to the Northern District of Florida, or directly filed in this Court, will automatically be consolidated with this proceeding without the necessity of future motions or orders. This consolidation, however, does not constitute a determination that the actions should be consolidated for trial, nor does it have the effect of making any entity a party to any action in which he, she, or it has not been named, served, or added in accordance with the Federal Rules of Civil Procedure.

## **III. Initial Case Management Conference**

An initial case management conference will be held on **Friday, February 21, 2025 at 9:00 a.m. CT in Courtroom 5 of the U.S. District Courthouse, One North Palafox Street, Pensacola, Florida 32502.**

**a. Purpose and Agenda:** The conference will be held for the purposes specified in Federal Rule of Civil Procedure 16(a)–(c), as well as Proposed Federal Rule of Civil Procedure (“Proposed Rule”) 16.1. Counsel are expected to familiarize themselves with Proposed Rule 16.1, as well as the Manual for Complex Litigation (4th ed.), and be prepared at the conference to suggest procedures that will facilitate the expeditious, economical, and just resolution of this litigation. The items listed in Proposed Rule 16.1(b)(2)–(3) will, to the extent applicable, constitute a tentative

agenda for the conference. Preliminary items to be discussed include: (1) an appropriate leadership structure; (2) the appointment of a litigation support firm to aid in data management, including a centralized document repository; (3) protocols for protecting sensitive party information; (4) stipulations regarding service of process; (5) coordination with any related state court litigation; (6) the appropriateness of consolidated pleadings; (7) docketing and filing procedures;<sup>1</sup> (8) a claims vetting process; (9) identification of potentially dispositive legal issues such as jurisdiction, general causation, and/or preemption; (10) the need for bifurcated proceedings, if any; and (11) initial views on a discovery plan. Counsel for Plaintiffs and Defendants are directed to confer and seek consensus on these tentative agenda items, to the extent possible. Any counsel wanting to suggest additions to the agenda should email those suggestions to chambers at [flnd\\_rodgers@flnd.uscourts.gov](mailto:flnd_rodgers@flnd.uscourts.gov) on **Tuesday, February 18, 2025 by 12:00 p.m. CT.**

**b. Appearance at the Conference:** Any Plaintiff's counsel seeking to be heard at the conference must appear in person to address the Court. Lead counsel for each Defendant are also expected to attend in person. The Court separately will address admission requirements, including *pro hac vice* admission, for attorneys

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<sup>1</sup> The Court will separately address some initial administrative docketing procedures in advance of the conference.

participating this MDL.<sup>2</sup> All other counsel and *pro se* Plaintiffs without a speaking role are invited to attend the conference but are not required to do so. Counsel and *pro se* Plaintiffs who cannot attend the conference in person may listen in by Zoom.<sup>3</sup> Appearance at the initial conference will not constitute a waiver of objections to jurisdiction, venue, or service.

**c. Proposed Rule 16.1 Report:** Plaintiffs' Counsel and Defendants' Counsel must meet and confer regarding the topics listed under Proposed Rule 16.1(b) and submit a written joint report in advance of the initial conference by **Tuesday, February 18, 2025 at 12:00 p.m. CT.**<sup>4</sup> Counsel should address each of the matters listed in Proposed Rule 16.1(b)(2)–(3).<sup>5</sup> To the extent not already called for under Proposed Rule 16.1, the Report also must include: (1) the Parties' positions on any of the agenda items listed above in Section III.a; (2) a list of all known motions pending in the cases transferred to this Court or pending transfer before the

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<sup>2</sup> The Court anticipates that some *pro hac vice* motions may still be in progress during the initial case management conference. The Court will not prevent those attorneys with in-progress motions from addressing the Court at the conference so long as counsel believes in good faith that they can comply with Northern District of Florida Local Rule 11.1(C).

<sup>3</sup> Those seeking to join by Zoom must email Courtroom Deputy Barbara Rogers at [Barbara\\_Rogers@flnd.uscourts.gov](mailto:Barbara_Rogers@flnd.uscourts.gov) by 12:00 p.m. CT on February 20, 2025, to get instructions on how to join.

<sup>4</sup> To the extent counsel for Plaintiffs cannot agree on issues, separate Report subsections may be submitted.

<sup>5</sup> The Parties may also address “any other matter that the parties wish to bring to the court’s attention.” Proposed Fed. R. Civ. P. 16.1(b)(4).

Panel, including the status of those motions;<sup>6</sup> (3) the status of any other important events in the litigation, if any; (4) the status of any related cases pending in state or federal court, including discovery taken to date, to the extent known; and (5) the primary defenses involved in the litigation. The Report will not be filed with the Clerk, will not be binding, will not waive claims or defenses, and may not be offered in evidence against a Party in later proceedings. The Report should be emailed to chambers at [flnd\\_rodgers@flnd.uscourts.gov](mailto:flnd_rodgers@flnd.uscourts.gov).

**d. Rule 26 Meeting and Second Case Management Conference:** An initial Rule 26 Meeting of Counsel will take place **Monday, March 3, 2025.**<sup>7</sup> A preliminary agenda for that meeting will be entered by separate order. A joint report of that meeting must be filed with the Court by **Friday, March 7, 2025.** The Court will conduct a second case management conference to discuss the Parties' joint report on **Monday, March 10, 2025, at 9:00 a.m. CT in Courtroom 5 of the U.S. District Courthouse, One North Palafox Street, Pensacola, Florida 32502.**

**e. Contact List:** Plaintiffs and Defendants must also jointly submit a list of all known counsel of record and *pro se* Plaintiffs, along with their addresses, work and cell phone numbers, and email addresses. This submission should be emailed (not filed) to Courtroom Deputy Barbara Rogers at

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<sup>6</sup> The Parties need not include administrative motions (e.g., motions to stay pending transfer by the Panel).

<sup>7</sup> If necessary, the Rule 26 meeting may last longer than one day.

Barbara\_Rogers@flnd.uscourts.gov by close of business on **Thursday, February 13, 2025**.

Until the Court receives this Contact List and establishes additional docketing and filing procedures for the MDL, notice will be sent to the Plaintiffs' and Defendants' counsel identified in Schedule B, who either appeared before the Panel or appeared in the related actions.<sup>8</sup>

#### **IV. Responsive Pleading Extension and Discovery**

Each Defendant is granted an extension of time for responding by motion or answer to the complaint(s) until a date to be set following the initial conference. Pending the initial conference and further orders of this Court, all outstanding discovery proceedings are stayed and no further discovery may be initiated. Any orders previously entered by this Court, a transferor court, or state court before removal—including preservation orders—will remain in effect until this Court orders otherwise.

#### **V. Communication with the Court**

Unless otherwise ordered, all substantive communication with the Court must be in writing, with copies to opposing counsel. The Court recognizes that cooperation among counsel and Parties is essential for the orderly and expeditious

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<sup>8</sup> The Court will re-send this Pretrial Order via e-mail to those on the Contact List provided by the Parties.

resolution of this litigation. To that end, the sharing of information in connection with this MDL among and between Plaintiffs' counsel, or among and between Defendants' counsel, will not, standing alone, be deemed a waiver of the attorney-client privilege, the protection afforded by the work-product doctrine, the protection afforded to material prepared for litigation, or any other privilege to which a Party may be entitled. Moreover, cooperative efforts between the Parties and counsel may not be: (1) used against any Party; (2) cited as evidence of a conspiracy, wrongful action, or wrongful conduct; or (3) communicated to the jury at the trial of any individual case. Nothing in this paragraph will in any way affect the applicability of any privileges or protection against disclosure otherwise available under the law.

## **VI. Docketing and Filing Procedures**

The Court will establish further docketing and filing procedures by separate order. Docketing and filing questions may be directed to Donna Bajzik, MDL Coordinator for the Clerk's Office, at (850) 470-8188 or [donna\\_bajzik@flnd.uscourts.gov](mailto:donna_bajzik@flnd.uscourts.gov).

**SO ORDERED**, on this 11th day of February, 2025.

*M. Casey Rodgers*

**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**

## Schedule A

### Central District of California

1. JONES v. PFIZER INC., ET AL., Case No. 2:24-09195
2. MORROW v. PFIZER INC., ET AL., Case No. 2:24-10060
3. JOSEPH v. PFIZER INC., ET AL., Case No. 2:24-10173
4. FAZIO v. PFIZER INC., ET AL., Case No. 5:24-02285
5. DEVORAK v. PFIZER INC., ET AL., Case No. 5:24-02349
6. WHITE v. PFIZER INC., ET AL., Case No. 5:24-02379
7. WILSON v. PFIZER INC., ET AL., Case No. 5:24-02524
8. WILLIAMS, ET AL. v. PFIZER INC., ET AL., Case No. 8:24-02457

### Eastern District of California

9. VALENCIA v. PFIZER INC., ET AL., Case No. 1:24-01346
10. ROMINE v. PFIZER INC., ET AL., Case No. 1:24-01446
11. MEDINA v. PFIZER INC., ET AL., Case No. 1:24-01475
12. LIGHT v. PFIZER INC., ET AL., Case No. 2:24-03254

### Northern District of California

13. SCHMIDT v. PFIZER INC., ET AL., Case No. 3:24-06875
14. LAWSON v. PFIZER INC., ET AL., Case No. 3:24-07303
15. NGUYEN v. PFIZER INC., ET AL., Case No. 3:24-07699
16. VALERA-ARCEO, ET AL. v. PFIZER INC., ET AL., Case No. 3:24-08312
17. FRANZI v. PFIZER INC., ET AL., Case No. 3:24-08372
18. YOUNG v. PFIZER INC., ET AL., Case No. 3:24-08679
19. GRUBENSKY v. PFIZER INC., ET AL., Case No. 4:24-08746
20. GOODLETT, ET AL. v. PFIZER INC., ET AL., Case No. 4:24-08223

### Southern District of California

21. EDGERTON v. PFIZER INC., ET AL., Case No. 3:24-02167

### Southern District of Indiana

22. NOBLE, ET AL. v. PFIZER INC., ET AL., Case No. 1:24-01831
23. BEAVERS, ET AL. v. PFIZER INC., ET AL., Case No. 1:24-02105
24. SHIRLEY v. PFIZER INC., ET AL., Case No. 2:24-00565

### District of Massachusetts

25. WRIGHT, ET AL. v. PFIZER INC., ET AL., Case No. 3:24-30145



**Western District of Missouri**

26. ROWLAND v. PFIZER INC., ET AL., Case No. 6:24-03316

**District of Nevada**

27. STEPHENS-SMITH, ET AL. v. PFIZER INC., ET AL., Case No.  
2:24-02123

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