

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: TEPEZZA MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION

No. 1:23-cv-03568  
MDL No. 3079

This Document Relates to All Cases

Judge Thomas M. Durkin

Chief Magistrate Judge M. David Weisman

**JOINT STATUS REPORT**

The Plaintiffs Leadership Committee (“PLC”) on behalf of all plaintiffs in MDL No. 3079 and Horizon Therapeutics USA, Inc. (“Horizon”) (collectively, the “Parties”) submit this joint status report pursuant to the Court’s February 24, 2025 Minute Entry (ECF No. 314). The Parties plan to address the following topics at the March 31, 2025 Status Hearing:

1. Status of fact discovery, which closes on May 9, 2025, by extension (ECF No. 321).
2. Dates for deposition of Horizon’s 30(b)(6) corporate representative(s) for regulatory and pharmacovigilance topics.
  - a. ***PLC’s position:*** The PLC served its 30(b)(6) notice on February 20. The PLC advised repeatedly that Mr. Becker had prepared to take the deposition and needed to complete the work by the end of April given that he begins the first NEC bellwether trial before Judge Pallmeyer on May 1. The PLC proposed April 8, 9, 10, 21, 22, or 28. Horizon waited until today (March 26) to designate its corporate representatives. It refused all six of the dates that the PLC proposed for this testimony. The PLC asks that Horizon be required to make these witnesses available on the dates the PLC has proposed.
  - b. ***Horizon’s position:*** The parties negotiated the 30(b)(6) topics extensively. To avoid motions practice, the parties reached agreement on the topics on March 17, 2025. The PLC issued a revised notice on March 18, 2025, with the agreed topics. On March 26, 2025, Horizon designated three witnesses and offered seven dates prior to the close of discovery when its witnesses were available: April 25, 29, 30, May 1, May 2 (Drs. Li and Yang); May 2 or May 9 (Dr. Sherman). Horizon’s witnesses cannot be forced to be available for only the six dates demanded by the PLC, to accommodate the schedule of one member of the PLC when it has plenty of other attorneys to take these depositions.

3. The PLC's Rule 36 requests.
  - a. **PLC's position:** potential briefing schedule if Horizon intends to object rather than answer. Horizon has not advised the PLC of any concerns with its Requests for Admission served at the beginning of this month (many of which would be unnecessary if Horizon would stipulate to the authenticity of its business records produced in litigation). To the extent there are any disputes to address, the PLC proposes the Court enter a briefing schedule given the proximity to the discovery cut off and approaching expert deadlines.
  - b. **Horizon's position:** This issue is not ripe for the Court. Horizon's responses to the PLC's approximately 2,200 Requests for Admission are not due until April 7, 2025 and April 10, 2025, respectively. The parties have not yet met and conferred regarding any potential briefing schedule.
4. Status of ruling on PLC's Motion for *In Camera* Review of Certain Documents Redacted for "Relevance" (ECF No. 219) and Horizon's Opposition (ECF No. 233).
5. At the Court's discretion, the Parties can be prepared to argue the PLC's Motion to Compel Depositions of Patient Access Liaisons (ECF No. 326). Horizon intends to file its Opposition (currently due to the Court April 1, 2025, with hearing set for April 23, 2025, *see* ECF No. 327).

Dated: March 26, 2025

Respectfully Submitted,

/s/ Trent B. Miracle

Trent B. Miracle (IL Bar No. 6281491)  
FLINT COOPER, LLC  
222 East Park Street, Suite 500  
P.O. Box 189  
Edwardsville, IL 62025  
P: 618-288-4777  
F: 618-288-2864  
tmiracle@flintcooper.com

/s/ Timothy J. Becker

Timothy J. Becker  
JOHNSON // BECKER, PLLC  
444 Cedar Street, Suite 1800 St.  
Paul, Minnesota 55101  
(612) 436-1800  
tbecker@johnsonbecker.com

/s/ Robert E. Johnston

Robert E. Johnston  
Kathryn S. Jensen  
Grant W. Hollingsworth (*admitted pro hac vice*)  
Elyse A. Shimada (*admitted pro hac vice*)  
HOLLINGSWORTH LLP  
1350 I Street, N.W.  
Washington, DC 20005  
(202) 898-5800  
rjohnston@hollingsworthllp.com  
kjensen@hollingsworthllp.com  
ghollingsworth@hollingsworthllp.com  
eshimada@hollingsworthllp.com

/s/ Daniel W. McGrath

Daniel W. McGrath  
HINSHAW & CULBERTSON LLP

/s/ Ashlie Case Sletvold

Ashlie Case Sletvold  
PEIFFER WOLF CARR KANE  
CONWAY & WISE, LLP  
6370 SOM Center Road, Suite 108  
Cleveland, Ohio 44139  
(216) 589-9280  
asletvold@peifferwolf.com

*Plaintiffs' Co-Lead Counsel*

151 N. Franklin Street, Suite 2500  
Chicago, Illinois 60606  
(312)704-3000  
dmcgrath@hinshawlaw.com

*Counsel for Horizon Therapeutics USA, Inc.*

/s/ Molly Condon Wells

Molly Condon Wells  
WALLACE MILLER  
150 North Wacker Drive, Suite 1100  
Chicago, Illinois 60606  
(312) 261-6193  
mcw@wallacemiller.com

*Plaintiffs' Liaison Counsel*