

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

IN RE: 3M COMBAT ARMS  
EARPLUG PRODUCTS  
LIABILITY LITIGATION

Case No. 3:19md2885

This Document Relates to All Cases

Judge M. Casey Rodgers  
Magistrate Judge Gary R. Jones

**PRETRIAL ORDER NO. 46  
Discovery and Pretrial Schedule for Trial Group B, C, and D Cases**

The Court supplements the discovery and trial schedule set forth in Pretrial Orders No. 28 and No. 43, and adopts the following discovery and pre-trial schedule for the initial bellwether cases in Trial Groups B, C, and D.

	<b>Group B Due Date</b>	<b>Group C Due Date</b>	<b>Group D Due Date</b>
Deadline for Defendants to move to dismiss or file an Amended Answer in response to Plaintiffs' Short Form Complaints, absent leave of Court	Thursday, August 27, 2020	Thursday, September 10, 2020	Thursday, September 24, 2020
Completion of depositions of Plaintiffs, subject to timely responses to pending requests served on the U.S. Department of Veterans Affairs, Veterans Benefits Administration, Department of Defense, and Plaintiffs	Friday, September 18, 2020	Friday, December 4, 2020	Friday, January 22, 2021

	<b>Group B Due Date</b>	<b>Group C Due Date</b>	<b>Group D Due Date</b>
Fact discovery close. <sup>1</sup> Absent leave of Court, the Parties are permitted up to six case-specific depositions per side.	Friday, November 13, 2020	Friday, February 5, 2021	Friday, March 12, 2021
Plaintiffs' Fed. R. Civ. P. 26(a)(2) Expert Disclosures (including Reports) due	Friday, November 20, 2020	Friday, February 12, 2021	Friday, March 19, 2021
Defendants' Fed. R. Civ. P. 26(a)(2) Expert Disclosures (including Reports) due	Tuesday, December 22, 2020	Monday, March 15, 2021	Monday, April 19, 2021
Plaintiffs' Expert Rebuttal reports due	Tuesday, January 12, 2021	Friday, March 26, 2021	Friday, April 30, 2021
Depositions of Plaintiffs' and Defendants' Experts Completion Date (Depositions will be phased so that the deposition of Plaintiffs' expert on a particular topic occurs prior to the deposition of Defendants' expert on that same topic)	Friday, February 12, 2021	Friday, April 30, 2021	Friday, May 28, 2021
Case-specific <i>Daubert</i> and dispositive motions due	Friday, February 19, 2021	Friday, May 7, 2021	Friday, June 11, 2021

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<sup>1</sup> Corporate discovery and Government discovery closes on September 1, 2020, subject to resolution of Defendants' Motion to Compel Against the Department of Defense. The Parties must seek leave of Court for any additional non-case specific corporate or Government discovery beyond this date for Trial Group A, B, C, & D.

	<b>Group B Due Date</b>	<b>Group C Due Date</b>	<b>Group D Due Date</b>
Oppositions to case-specific <i>Daubert</i> and dispositive motions due	Friday, March 12, 2021	Friday, May 28, 2021	Friday, July 2, 2021
Replies in support of case-specific <i>Daubert</i> and dispositive motions due	Monday, March 22, 2021	Monday, June 7, 2021	Monday, July 12, 2021

**SO ORDERED**, on this 31st day of July, 2020

*M. Casey Rodgers*

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