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
This Document Relates to: All Cases	Judge M. Casey Rodgers Magistrate Judge Hope T. Cannon

CASE MANAGEMENT ORDER NO. 3

On May 30, 2025, the Court held the third Case Management Conference ("CMC") in the *Depo-Provera (Depot Medroxyprogesterone Acetate) Products Liability Litigation*, MDL No. 3140. Lead Counsel Chris Seeger and Co-Lead Counsel Bryan Aylstock appeared on behalf of Plaintiffs. For the Pfizer Defendants, Joe Petrosinelli, Annie Showalter, and Jeremy Branning appeared; for Defendants Greenstone and Viatris, Charles Beall and Clem Trischler appeared; and for Defendant Prasco, Paul Cosgrove appeared. Also present for the conference were Orran Brown and Jake Woody on behalf of the Data Administrator, BrownGreer. This Order memorializes the key points of discussion during the conference, the issues resolved, and matters still outstanding.

By way of review, since the Second Case Management Conference on March 13, 2025, the docket has grown in the MDL by around 300 cases, totaling 405 actions as of the date of the CMC. The Court entered multiple Pretrial Orders ("PTOs") in

that time as well, including those that implemented the threshold proof of use/injury requirement (PTO 17), and corresponding deficiency process (PTO 22). The Court also entered PTO 23, which established a deficiency process for complaints filed in or transferred to the MDL. Finally, the document production deadline for preemption and general causation discovery elapsed on May 11, 2025.

Turning to the Parties' Agenda Letter, the Court reviewed the status of preemption and general causation discovery with the Parties. The Parties represented that Pfizer has produced more than 1.4 million documents (comprised of more than 10 million pages) from 18 of 51 custodians so far. The Court heard from Plaintiffs' and Pfizer's counsel regarding rolling productions from Pfizer for the remaining 33 custodians identified in April and May. There was no anticipated dispute about the additional productions that would throw off the current case schedule, particularly based on the lower responsiveness rate of the later-identified custodians' documents.

The Parties also addressed the Court regarding the process of determining whether the authorized generic Defendants (Greenstone, Viatris, and Prasco) had sufficient involvement with the involved drug to remain in the litigation. Plaintiffs indicated that they anticipate that the authorized generic Defendants will be released from the litigation in the coming weeks.

The Court heard from Plaintiffs' Lead Counsel regarding Plaintiffs' request for assistance where there was difficulty in obtaining records from third-party providers who administered Depo-Provera. Lead Counsel represented that the Plaintiffs are compiling examples of what kinds of roadblocks providers are putting in place preventing the collection of relevant records and the efforts that counsel have exhausted in trying to overcome those obstacles. The Court instructed Plaintiffs to raise issues that arise as soon as possible if there are imminently pressing problems in records collection.

The Chair of the Data Administration Subcommittee, Julia Merritt, alongside Orran Brown and Jake Woody of BrownGreer presented case statistics, threshold proof of use/injury submissions data, and information regarding the progress of the deficiency review of threshold proof of use/injury and case complaints. BrownGreer's presentation is attached to this Order as **Exhibit A**.[1] With regard to threshold proof of use and injury, the Court reminds Plaintiffs' counsel to submit the required questionnaires and records as soon as possible—and well in advance of deadlines if that is an option. BrownGreer further addressed the progression of its artificial intelligence tool training in assisting the deficiency process.

[1] The Court noted a slight discrepancy in the case count between BrownGreer and PACER, which the Court's Clerk's Office and BrownGreer will work to reconcile going forward.

Finally, State-Federal Liaison Counsel for Plaintiffs, Katherine Cornell, and Counsel for Pfizer, Annie Showalter, addressed the Court with an update regarding the progress of the Depo-Provera state court litigation, which largely tracked the information presented in the Parties' Agenda Letter (ECF No. 298). The Court requested that State-Federal Liaison Counsel update the Court with any coordination orders entered in the state court cases.

As ordered in an amendment to PTO 21 (ECF No. 304), the next Case Management Conference will be **Friday, July 11, 2025, at 9:00 a.m. CT**.[2] The Parties must file a Joint Agenda Letter by **Monday, July 7, 2025, at 12:00 p.m. CT**. Additionally, the Court will hear oral arguments for any summary judgment motion(s) regarding preemption on **Monday, September 29, 2025, at 9:00 a.m. CT**. As that argument date cuts slightly into the Parties' briefing schedule, the Court requests that the Parties submit a proposed joint amendment to the schedule to ensure that the preemption briefing is ripe no later than **12:00 p.m. CT on Friday, September 26, 2025**. The Parties should file that proposed amendment to the schedule on the main docket by **Friday, June 20, 2025**. The Court also **RESCHEDULES** the Case Management Conference currently scheduled for

[2] The Court has set an interim case status conference with select members of leadership for **Tuesday, June 24, 2024**, over Zoom. *See* ECF No. 311.

September 26, 2025, to be held alongside the preemption oral argument on **September 29, 2025**.

SO ORDERED this 11th day of June, 2025.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE

MDL CENTRALITY®
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MDL Centrality Status Update

In Re: Depo-Provera Products Liability Litigation
Case Management Conference
May 30, 2025

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Jake Woody
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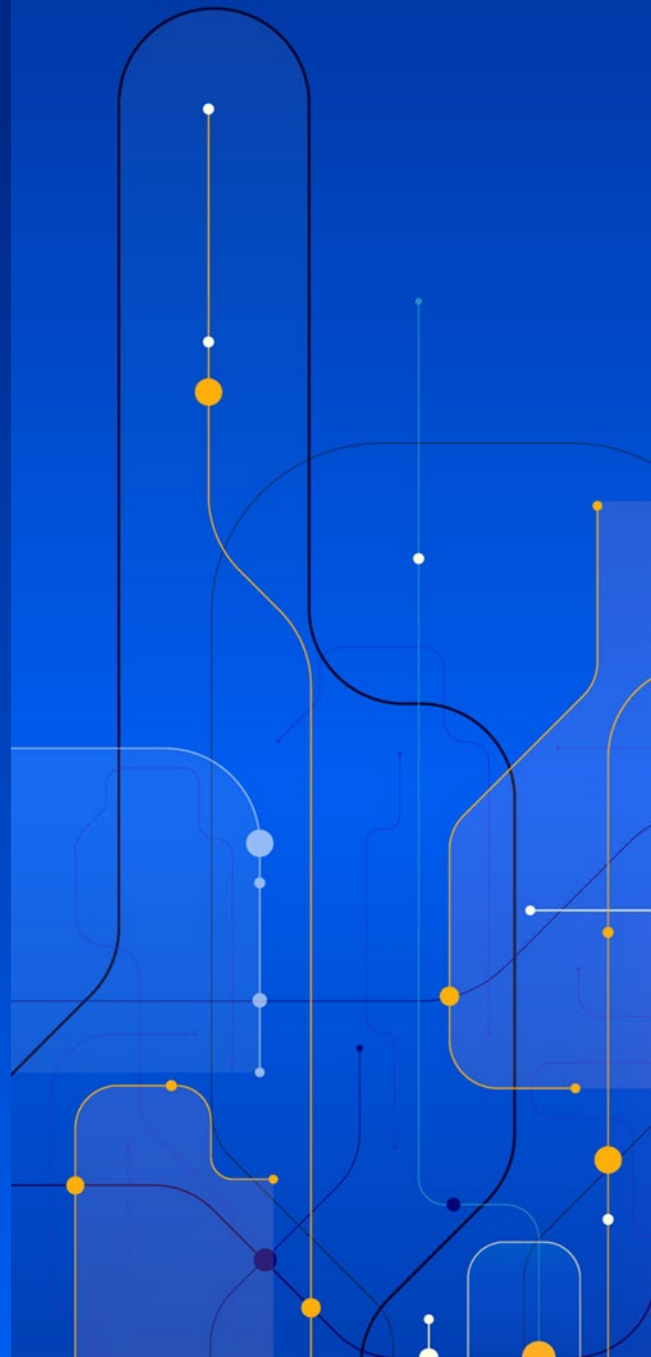
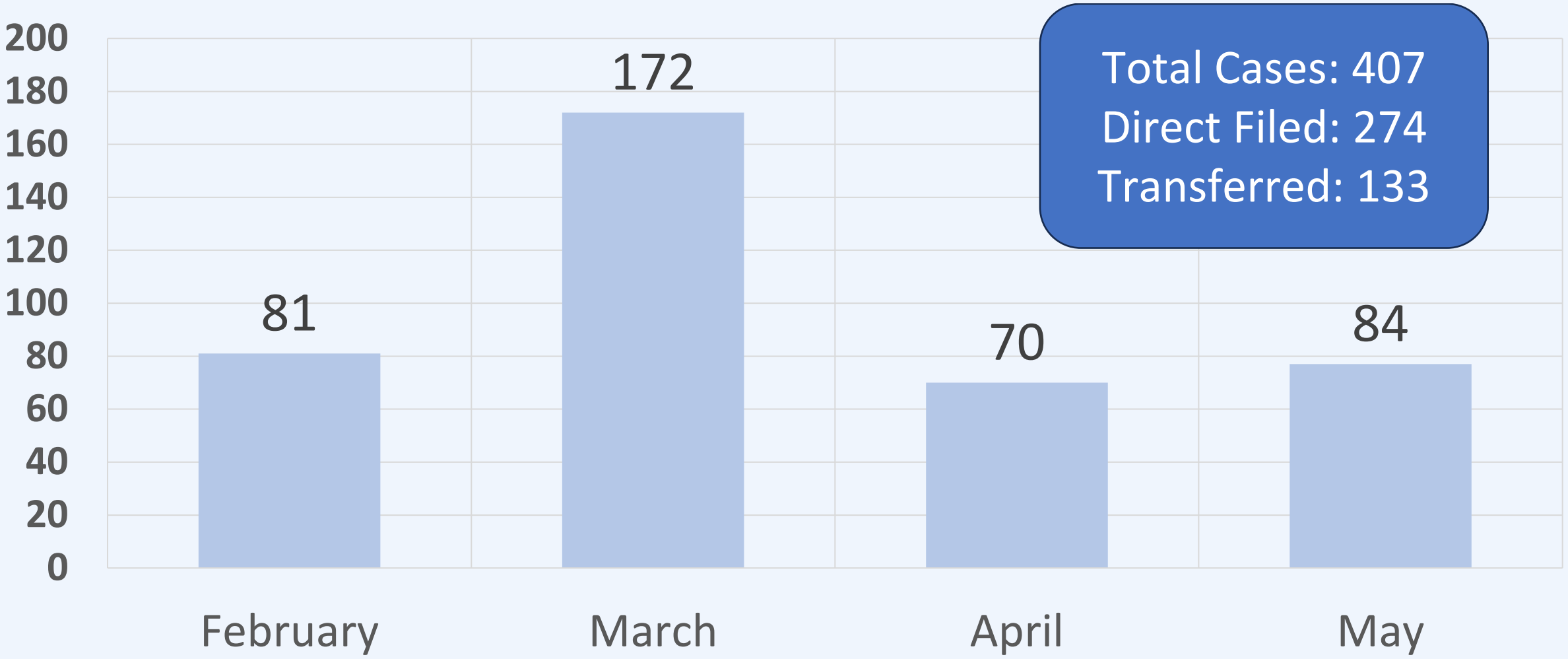


MDL Centrality Overview

	Category	Number
1.	Firms Registered With MDL C	85
2.	Portal Users at Firms	313
3.	Plaintiffs Registered	397
4.	Complaints Uploaded to MDL C	359
5.	Plaintiff Use/Injury Questionnaires Submitted on MDL C	67
6.	Documents Uploaded as Proof to MDL C	1,321

Cases in the MDL

(As of 5/28/25)



Plaintiff Registration in MDL Centrality

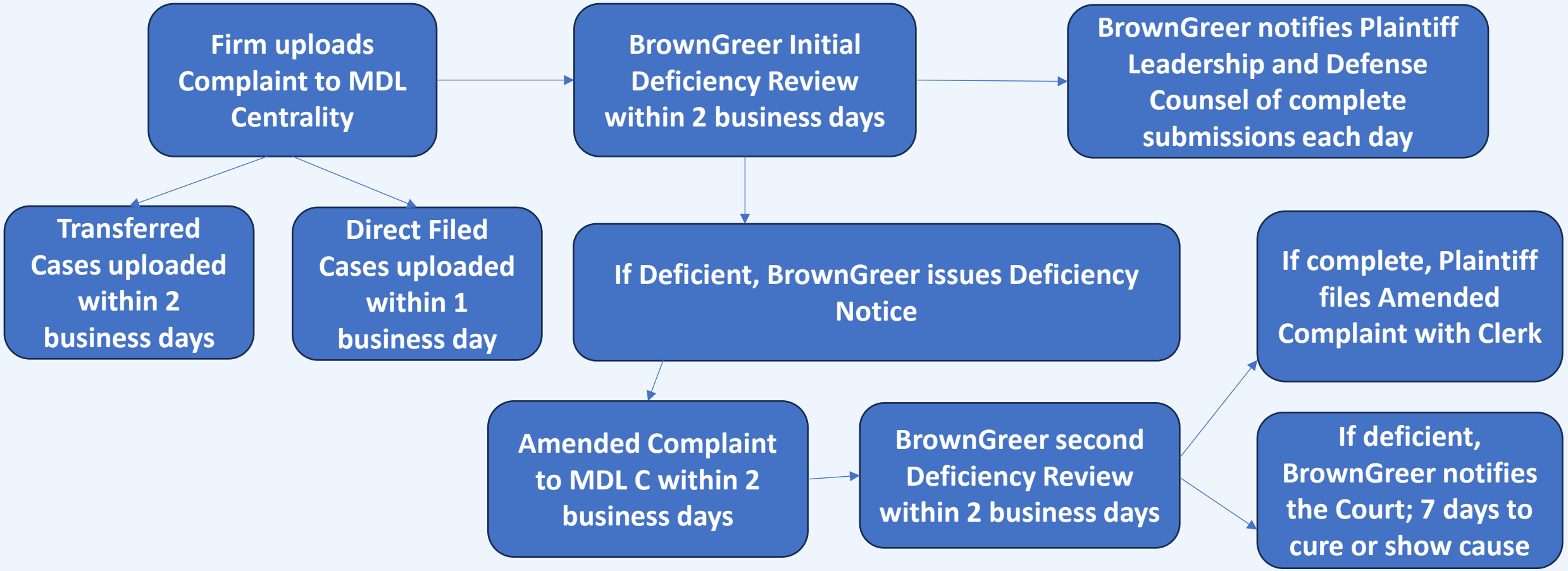
1. PTO 12: Plaintiff must register within 14 days after direct filing a Complaint or transfer.
2. BG contacts each firm to get them and their plaintiffs registered.
3. Plaintiff information required:
   a) First and Last Name
   b) Date of Birth
   c) Social Security Number
   d) Filing type (Direct or Transferred)
   e) Representative (for Deceaseds, Incompetents, and Minors)

MDL Centrality Plaintiff Registration

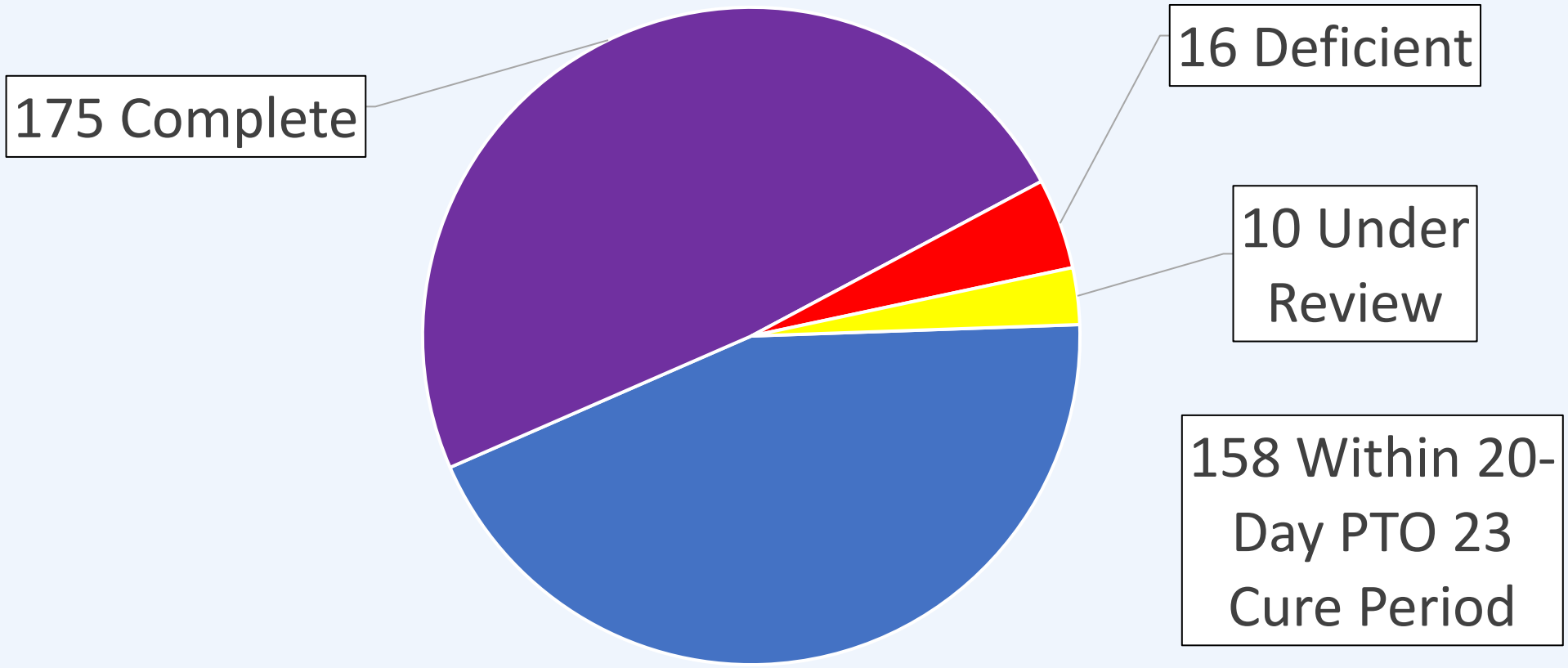
Complaints: PTO 23 Threshold Allegations

1. Plaintiff has a Requisite Physical Injury
2. Requisite Physical Injury resulted from/exacerbated by use of a Requisite Product
3. Citizenship of the Plaintiff
4. Citizenship of each Defendant
5. Direct filed complaints: Designated Forum (District and Division) in case caption and body of the complaint

Complaints: PTO 23 Timeline



PTO 23 Complaint Review Results



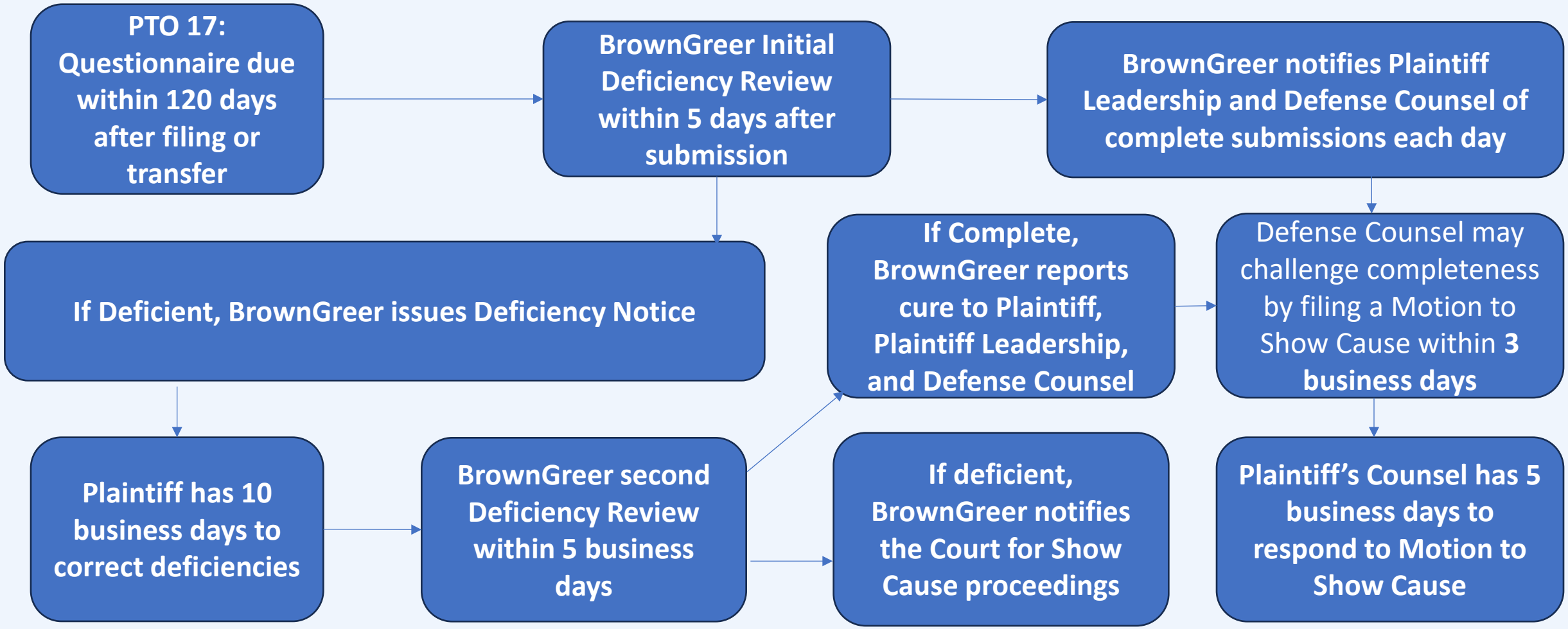
Requisite Product Proof: PTO 22 Threshold Requirements

1. Plaintiff's Name
2. The date of the action recorded (date prescribed or dispensed)
3. Name of a Requisite Product
4. That the Requisite Product was administered to the Plaintiff

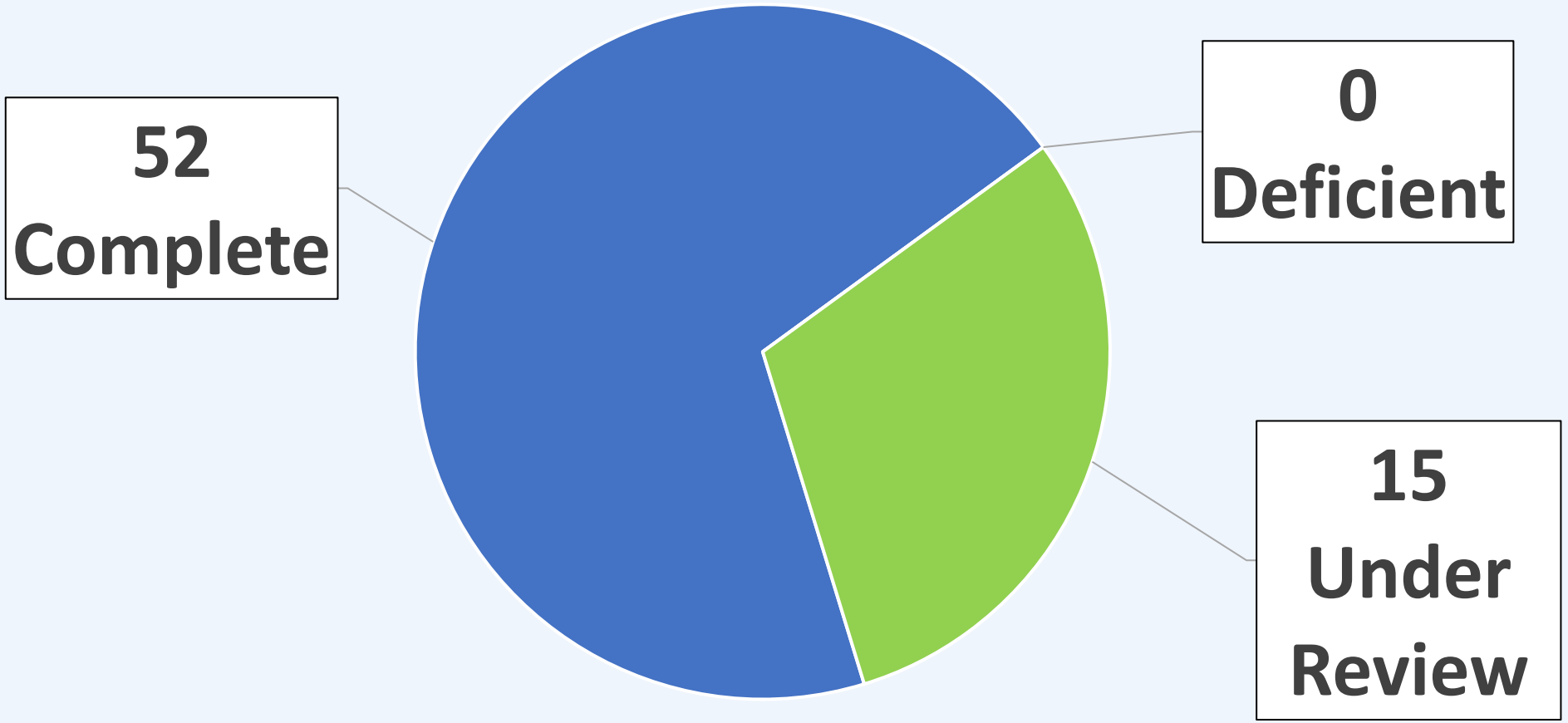
Requisite Diagnosis Proof: PTO 22 Threshold Requirements

1. Plaintiff's Name
2. Requisite Injury diagnosed
3. That diagnosis made for the Plaintiff
4. Date of diagnosis
5. Date of diagnosis within one year of the diagnosis date in Questionnaire answer

PTO 22 Proof Timeline



PTO 22 Proof of Use/Injury Review Results



Contact Us

For portal access, questions, or any help, email depoprovera@browngreer.com or call (888) 361-0741.