

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

IN RE: DEPO-PROVERA (DEPOT
MEDROXYPROGESTERONE
ACETATE) PRODUCTS LIABILITY
LITIGATION

This Document Relates to:
All Cases

Case No. 3:25-md-3140

Judge M. Casey Rodgers
Magistrate Judge Hope T. Cannon

**Joint Update and Proposed Agenda
for October 24, 2025 Case Management Conference**

In advance of the October 24, 2025, Case Management Conference, the Parties, after meeting and conferring with Delaware and New York state court Depo-Provera counsel, jointly provide the following update and proposed agenda.

I. Joint Issues Common to the MDL, Delaware, and New York.

To promote efficient use of judicial and litigant resources, MDL Plaintiffs' Leadership and Defendants continue to engage and coordinate among the MDL and the Delaware and New York actions. To assist with this coordination, MDL Leadership and Defendants have discussed a slight modification to the schedule for general causation proceedings to align with the below schedule that they have proposed in both New York and Delaware:

Date	Event
December 1, 2025	Plaintiffs' general causation expert disclosures
January 9, 2026	Defendants' general causation expert disclosures
February 20, 2026	Deadline for depositions of all general causation experts
March 22, 2026	Rule 702 motions regarding general causation experts to be filed
April 21, 2026	Oppositions to Rule 702 motions to be filed
April 28, 2026	Replies in support of Rule 702 motions to be filed, if requested by movants and permitted by Court

If the Delaware and New York courts adopt the above schedule, the parties intend to request that this Court modify the existing general causation schedule to match these deadlines.

II. MDL Update.

A. Threshold Proof of Use and Injury Update

Pursuant to PTOs 17, 22, and 22A, individual Plaintiffs continue to submit the required threshold proof of use of Depo-Provera and meningioma diagnosis in MDL Centrality. Upon review, individual Plaintiffs have worked with MDL Centrality and the Data Administration Subcommittee to cure potential deficiencies in the Questionnaire and threshold documentation.

As of October 20, 2025, there are 1,346 cases in the MDL, and 1,332 complaints have been deemed complete on BrownGreer's threshold review. 509

Plaintiffs have submitted complete proof of use/injury questionnaires, and an additional 22 questionnaires have been submitted and are under review.

To assist with the collection of records relating to product use, and although such discovery exceeds the scope of general causation or federal preemption discovery, the Parties have begun to meet and confer regarding potential limited discovery regarding the sales and distribution of Depo-Provera.

III. New York State Court Litigation Update.

There are 70 cases comprising 78 plaintiffs that have been consolidated and assigned to Justice Sabrina Kraus. Following the initial conference on October 2, 2025, the Parties submitted agreed proposed case management orders, including a proposed schedule, a proposed threshold proof of use and proof of injury order, and a proposed order engaging BrownGreer to assist with the threshold proof process.

With regards to Greenstone and Prasco, those defendants have provided Declarations of Non-Involvement and reached agreements for dismissal of the claims against them subject to a limited tolling agreement and cooperation on future discovery. Proposed Dismissal Orders of those Defendants are to be submitted.

IV. Delaware State Court Litigation Update

There are 10 cases comprising of 332 plaintiffs pending before Judge Kathleen M. Vavala.

On October 15, 2025, Defendants, joined by MDL Leadership, submitted

proposed case management orders, including a schedule, threshold proof of use and proof of injury orders that are essentially identical to the ones this Court has entered, and a proposed order engaging BrownGreer to assist with the threshold proof process. Other plaintiff firms submitted competing orders. On October 20, 2025, Defendants and the Keller Postman firm will submit briefs concerning Keller Postman's objection to entry of Defendants' proposed threshold proof of use and proof of injury orders.

The Keller Postman Plaintiffs object to the schedule proposed by Defendants for the reasons set forth in their proposed Delaware CMO #1 and supporting letter. The Keller Postman Plaintiffs further object to any orders or obligations that are contrary to Delaware procedure or infringe on their substantive rights, as set forth in their brief dated October 20, 2025.

V. Other State Court Litigation Update

Cases concerning Depo-Provera and meningioma are also currently pending in the following state courts:

- California (20 cases). The Judicial Council authorized the Presiding Judge of the Superior Court of Alameda County to assign a coordination trial judge, and on October 13, 2025, the coordinated cases were reassigned to Judge Patrick McKinney. Judge McKinney has scheduled a case management conference for November 12, 2025.

- Pennsylvania (1 case). On September 25, 2025, Judge Carpenter of the Philadelphia Court of Common Pleas granted Defendants' Preliminary Objections in the *Davis* case. The case is stayed pending plaintiff's possible appeal and /or decision to replead.
- Illinois (6 cases). All six cases are pending in Cook County. A partial motion to dismiss is pending in one case; the responsive pleading deadlines for the five recently filed cases have not yet run. The parties are discussing the most appropriate way to coordinate the six cases.
- Connecticut (1 case)
- New Mexico (1 case). This case is assigned to Judge Matthew Wilson. A motion to dismiss the forum defendant is fully briefed and oral argument has been requested, but not set. Pfizer has answered the complaint. A Rule 16 scheduling conference is set for November 17, 2025.

DATED: October 20, 2025

Respectfully submitted,

/s/ Christopher A. Seeger

Christopher A. Seeger
New Jersey State Bar No. 04231990
David R. Buchanan
New Jersey State Bar No. 042741993
Caleb Seeley
New Jersey State Bar No. 303522019
Seeger Weiss LLP
55 Challenger Boulevard
Ridgefield Park, NJ 07660
Tel.: (973) 639-9100
cseeger@seegerweiss.com

Plaintiffs' Lead Counsel

Bryan F. Aylstock
Savannah T. Green
Aylstock, Witkin, Kreis & Overholtz,
PLLC
17 East Main Street Suite 200
Pensacola, FL 32502
Tel.: (850) 202-1010
baylstock@awkolaw.com

Plaintiffs' Co-Lead Counsel

Ellen Relkin
WEITZ & LUXENBERG, P.C.
700 Broadway
New York, NY 10003
erelkin@weitzlux.com
Tel: 212-558-5500

Plaintiffs' Co-Lead Counsel

/s/ Joseph G. Petrosinelli

Joseph G. Petrosinelli
Jessica Bodger Rydstrom
WILLIAMS & CONNOLLY LLP
680 Maine Ave., SW
Washington, DC 20024
Telephone: (202) 434-5547
jpetrosinelli@wc.com
jrydstrom@wc.com

Loren H. Brown
Matthew A. Holian
DLA PIPER LLP (US)
1251 Avenue of the Americas
New York, NY 10020-1104
Telephone: (212) 335-4500
loren.brown@us.dlapiper.com

*Counsel for Defendants Pfizer
Inc., Pharmacia & Upjohn Co.
LLC, and Pharmacia LLC*

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2025, I caused the foregoing Joint Update and Proposed Agenda for October 24, 2025 Case Management Conference to be filed with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Joseph G. Petrosinelli
Joseph G. Petrosinelli