

**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 September 29, 2025 Case Management Conference**

In advance of the September 29, 2025, Case Management Conference, the Parties jointly provide the following update and proposed agenda.

I. Preemption/General Causation Discovery (Presentation to be made by David Buchanan for Plaintiffs and Jessica Rydstrom for Pfizer).

As set forth in the Court's Amended Scheduling Order, ECF No 326, preemption fact discovery closed on July 25, 2025. *See* Dkt. 326 at 2. Pfizer's motion for summary judgment regarding preemption was filed on August 22, 2025, Plaintiffs' opposition was filed on September 19, 2025, and Pfizer's reply will be filed September 26, 2025. *Id.* Oral argument is scheduled for September 29, 2025, following the Case Management Conference.

General causation fact discovery closed on September 23, 2025. *Id.* Privilege review and discussions surrounding potential challenges are ongoing. Plaintiffs' general causation expert disclosures are due on October 23, 2025. *Id.*

II. Individual Proof of Use/Injury Collection (Presentation to be made by Julia Merritt for Plaintiffs).

Pursuant to PTOs 17 and 22, 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.

On September 11, 2025, the Court issued Pretrial Order No. 22A. The Parties are working with the BrownGreer on a procedure to implement the exception set forth in that order.

As of September 23, 2025, there are 1,164 cases in the MDL, and 1,133 complaints have been deemed complete on BrownGreer's threshold review. 435 Plaintiffs have submitted complete proof of use/injury questionnaires, and an additional 24 questionnaires have been submitted and are under review. There have been 98 questionnaires that BrownGreer determined to be deficient and referred to the Court, although this number may fall as PTO 22A is implemented.

III. State Court Litigation Update (Presentation to be made by Katherine Cornell for Plaintiffs, and Annie Showalter for Pfizer).

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

- California (19 cases). On July 24, 2025, Judge Michael Markman granted Defendants' petition, ordering that cases relating to Depo-Provera and meningioma be coordinated as JCCP 5375 and recommending Alameda County as the proper venue. The underlying cases have been stayed, awaiting an order from the Judicial Council approving Judge Markman's recommendation to coordinate the cases in Alameda County.
- Delaware (6 cases). On September 15, 2025, Judge Kathleen M. Vavala held an initial case management conference. Judge Vavala gave the parties 30 days to propose a case management order, to include a procedure for addressing threshold proof of use and injury as well as a schedule for briefing preemption and general causation. Judge Vavala indicated the court's desire for counsel in the DE cases to work cooperatively and in coordination with the MDL.
- New York (71 cases). On September 19, 2025, the New York action was assigned to Judge Sabrina Kraus. An initial conference is scheduled for October 3, 2025, at 10am ET. At that conference, the court anticipates setting a schedule for the filing of pre-answer motions, answers, and submission of a

vetting order. The court also indicated it anticipates coordinating the New York litigation with the MDL to the extent possible.

- Pennsylvania (1 case). Judge Carpenter (Philadelphia Court of Common Pleas, “PCCP”) issued an order severing and dismissing the 100-plaintiff complaint filed in April 2025. Plaintiffs in that case then filed a voluntary dismissal of all claims. There is now one pending PCCP case, and as a result Defendants withdrew their motion seeking a coordinated proceeding.
- Illinois (1 case)
- 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.
- Tennessee (1 case). This case was removed based on diversity. Plaintiff has moved to vacate the JPML’s conditional transfer order. The briefing on Plaintiff’s motion to vacate will be complete on October 22, 2025.

DATED: September 24, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2025, I caused the foregoing Joint Update and Proposed Agenda for September 29, 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/ Christopher A. Seeger
Christopher A. Seeger