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. 7

On October 24, 2025, the Court held the seventh Case Management Conference ("CMC") in the *Depo-Provera (Depot Medroxyprogesterone Acetate) Products Liability Litigation*, MDL No. 3140. The conference was held jointly with the state courts of New York (Justice Sabrina Kraus) and Delaware (Judge Kathleen Vavala) at the New York County Courthouse. MDL Lead Counsel Chris Seeger and Co-Lead Counsel Bryan Aylstock and Ellen Relkin appeared on behalf of Plaintiffs.[1] Also appearing for Plaintiffs were Katherine Cornell, Julia Merritt, and Caleb Seeley. For the Pfizer Defendants, Joe Petrosinelli, Annie Showalter, and Loren Brown appeared. Also present for the conference were Orran Brown, Jake Woody, and Julie Newton on behalf of the Data Administrator, BrownGreer PLC; and

[1] Counsel also appeared on behalf of Plaintiffs they respectively represent in state court Depo-Provera litigation.

Special Master David Herndon. Since the Sixth CMC on September 29, 2025, the member case filings have increased to 1,453 total actions.

The CMC began with an overview from MDL Leadership of the threshold proof of use and injury orders, as the screening requirements have been in place for approximately six months at this point. The Parties agreed that the screening process has been particularly helpful in this litigation in which the alleged injury is discrete. According to counsel, some law firms with large inventories are discovering during the screening process that many clients who understandably believed they had suffered from a meningioma were actually diagnosed with a different type of brain tumor or other injury.

Additionally, MDL Leadership jointly requested an extension of the general causation scheduling order (of approximately 6 weeks) to coincide with the schedule they expected to be entered in the New York litigation and have proposed in the Delaware litigation. The undersigned indicated that the proposed changes were acceptable for the MDL if adopted by the state court judges.[2] A coordinated general causation schedule makes sense to the undersigned given that the general causation phase of the litigation will likely address length of product use and length of time between product use and injury, which may impact causality.

[2] Once the proposed schedule was adopted in New York, the undersigned adopted it and amended the MDL scheduling order. *See* ECF No. 469.

The undersigned discussed the pending preemption motion and advised—consistent with comments made from the bench during oral argument on the motion—that the MDL Court would defer a ruling on that motion until such time as the FDA issues its decision on Pfizer's June 2025 label change submission. As mentioned during oral argument, the undersigned intends to order further briefing from both sides once the FDA issues a decision.

Katherine Cornell and Annie Showalter appeared on behalf of Plaintiffs and Pfizer, respectively, to provide an update on the progress of the Depo-Provera state court litigation. They advised that 21 cases have been filed in California, 72 cases in New York, 10 cases (with 332 plaintiffs) in Delaware, and 6 cases in Illinois, while Pennsylvania, Connecticut, and New Mexico each have 1 case. Justice Kraus and Judge Vavala also asked state-specific questions of the counsel in attendance for their respective states.

The CMC also included a helpful presentation regarding MDL Centrality by the Data Administrator, BrownGreer, as well as an update about the status of the early vetting deficiency process in the MDL. BrownGreer also reported that, as of October 23, 2025, there were 1,446 cases in the MDL, with Plaintiffs represented by 99 firms. Only one complaint has been referred to the MDL Court as part of the deficiency process. Forty-one proof of use/proof of injury deficiencies have been referred to the Court, while 559 Plaintiffs have gone through the deficiency review

with BrownGreer deeming their submissions complete. BrownGreer also reported on the status of those Plaintiffs who may be exempt from the proof of use requirement under PTO 22A; the majority eligible for the exemption have not required its use.

As previously ordered, the next MDL CMC is scheduled to be held on **Friday, November 21, 2025, at 9:00 a.m. CT**.[3] The Parties' Joint Agenda Letter is due by **12:00 p.m. CT on Monday, November 17, 2025**.

SO ORDERED this 30th day of October, 2025.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE

[3] At this time, it is anticipated this will again be a joint state/federal CMC.