

**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 November 21, 2025 Case Management Conference**

Pursuant to CMO No. 7, in advance of the November 21, 2025, Case Management Conference, the Parties provide the following update and proposed agenda.

I. MDL Update.

A. Discovery Update

General causation fact discovery closed September 23, 2025. On October 30, 2025, the Court entered the Second Amended Scheduling Order which set the deadline for Plaintiffs' general causation expert disclosures as December 1, 2025. Dkt. 469. Under that Order, Defendants' general causation expert disclosures are due January 9, 2026, and briefing on any Rule 702 motions regarding general causation experts will be complete on April 28, 2026. *Id.* Plaintiffs anticipate serving subpoenas to third party distributors of Depo-Provera.

B. 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 November 17, 2025, there were 1,633 cases in the MDL, and 1,602 complaints have been deemed complete on BrownGreer's threshold review. 677 Plaintiffs have submitted complete proof of use/injury questionnaires, and an additional 12 questionnaires have been submitted and are under review.

II. New York State Court Litigation Update.

There are 75 cases comprising 83 plaintiffs that have been consolidated and assigned to Justice Sabrina Kraus. On October 29, 2025, Justice Kraus entered Case Management Order No. 1. *See* Index No. 788000/2025 NYSCEF Doc No. 5. Pursuant to that order, Plaintiffs general causation expert disclosures are due December 1, 2025, Defendants' responsive expert disclosures on general causation are due January 9, 2026, and *Frye* motions regarding general causation will be fully briefed by April 28, 2026.

The Court also entered a case vetting order, NYSCEF Doc. No. 4. The first deadline for submitting Questionnaires and the accompanying proof of use and

injury documentation through BrownGreer is February 26, 2026.

III. Delaware State Court Litigation Update

There are 13 cases comprising 322 plaintiffs pending before Judge Katheleen M. Vavala.

Judge Vavala held a case management conference on November 5, 2025, and heard argument regarding the parties' proposed case management orders and the defendants' proposed vetting order. A decision is pending.

Judge Vavala ordered that multi-plaintiff complaints create difficulties for her prothonotary's office and accordingly will set a process for severing currently filed multi-plaintiff complaints, and future complaints must be filed on behalf of individual plaintiffs.

V. Additional State/Federal Coordination

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

- California (24 cases). Judge McKinney held the first case management conference in this consolidated proceeding on November 12, 2025. Michael Kelly of Walkup, Melodia, Kelly & Schoenberger, and Steve Lopez of Gibbs Mura were selected as Plaintiffs' liaison counsel. The court set a second case management conference for December 17, 2025, at which time the court will discuss with the parties a scheduling order.

- Pennsylvania (2 cases). On September 25, 2025, Judge Carpenter of the Philadelphia Court of Common Pleas granted Defendants' Preliminary Objections in the *Davis* case. Plaintiff filed a petition seeking permission to appeal, which defendants opposed. The petition is pending.
- Illinois (5 cases). All five cases are pending in Cook County. The presiding administrative judge, Judge Lyons, issued an order coordinating the cases for discovery purposes. An initial appearance is set for December 3, 2025.
- Connecticut (1 case). Defendants' Request to Revise (equivalent to a motion to dismiss) is pending.
- 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. The Rule 16 scheduling conference is set for today, November 17, 2025. Plaintiff noticed nine Pfizer witnesses for deposition, which were cross-noticed in Delaware. Two depositions are scheduled to occur this week.

DATED: November 17, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2025, I caused the foregoing Joint Update and Proposed Agenda for November 21, 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
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