

**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 January 23, 2026 Case Management Conference**

Pursuant to CMO No. 9, in advance of the January 23, 2026 Case Management Conference, the Parties provide the following update and proposed agenda.

I. MDL Update (Presentation by Chris Seeger for Plaintiffs and Joe Petrosinelli for Pfizer)

A. Supplemental Preemption Briefing.

The Parties met and conferred and reached agreement on the following proposed schedule for supplemental briefing on Pfizer's preemption summary judgment motion:

January 30, 2026: Pfizer's supplemental brief due, limited to 10 pages;

February 20, 2026: Plaintiffs' response brief due, limited to 10 pages;

February 27, 2026: Pfizer's reply brief due, limited to 3 pages.

B. General Causation Discovery.

Plaintiffs' general causation expert disclosures were served on January 1, 2026. Defendants' general causation expert disclosures are due February 9, 2026, and briefing on any Rule 702 motions regarding general causation experts will be complete on May 29, 2026. *Id.* The Court has scheduled a hearing on any Rule 702/*Daubert* motions for May 26 through 28, 2026.

C. Pretrial Discovery Schedule for Pilot Cases

With the assistance of Judge Herndon, the parties met and conferred regarding a proposed schedule for general and case-specific discovery and other pretrial deadlines in advance of the Pilot Case trials, with the first trial scheduled for December 7, 2026. The parties reached agreement on the proposed schedule attached as Exhibit A.

The trial and pretrial conference dates reflected in Exhibit A for Pilot Trials 2-5 are subject to the Court's availability. Plaintiffs intend to move for a consolidated trial of the multiple Pilot Cases from the same state. Defendants will oppose the motion.

D. Threshold Proof of Use and Injury Update (Presentation by Julia Merritt for Plaintiffs and BrownGreer)

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 January 19, 2026, there were 2,271 cases in the MDL, and 2,191 complaints have been deemed complete on BrownGreer's threshold review. 1,032 Plaintiffs have submitted complete proof of use/injury questionnaires, and an additional 115 questionnaires have been submitted and are under review.

II. New York State Court Litigation Update (Presentation by Ellen Relkin for Plaintiffs and Jessica Rydstrom for Pfizer)

There are 68 cases comprising 76 plaintiffs that have been consolidated and assigned to Justice Sabrina Kraus.

Plaintiffs' general causation expert disclosures were served on January 1, 2026. Defendants' expert disclosures on general causation are due February 9, 2026, and *Frye* motions regarding general causation will be fully briefed by May 29, 2026.

III. Delaware State Court Litigation Update

There are 27 cases comprising 330 plaintiffs pending before Judge Kathleen Vavala. As discussed at the prior MDL case management conference, MDL Plaintiffs' State-Federal Liaison Counsel, Katherine Cornell, provided an update regarding anticipated future filings that is attached as Exhibit B.

On December 24, 2025, Judge Vavala denied Keller Postman's application for certification of interlocutory appeal regarding the Delaware court's entry of Order RE: Data Administrator and Order RE: Case Vetting and request for a limited stay

pending appeal.

Plaintiffs' general causation expert reports were served on January 2, 2026. Two different groups of Plaintiffs' counsel (those with cases pending in the MDL and those with no cases pending in the MDL) filed separate expert reports. Defendants' expert disclosures on general causation are due February 9, 2026, and motions regarding general causation will be fully briefed by May 29, 2026.

IV. Additional State/Federal Coordination (Presentation by Katherine Cornell for Plaintiffs and Annie Showalter for Pfizer)

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

- California (35 cases). Judge McKinney will hold a third case management conference on January 28, 2026, 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. Pfizer has filed Preliminary Objections in the *Thompson* case.
- Illinois (9 cases). All nine cases are pending in Cook County. The cases have been consolidated for discovery purposes before Judge Stephanie Saltouros. The parties are briefing motions to dismiss.

- Connecticut (1 case). The case has been assigned to Judge Elizabeth Stewart, who held a case management conference on December 17, 2025. Judge Stewart partially granted Defendants' Request to Revise, and Plaintiffs' revised complaint is due on January 29, 2026. Trial in the case is currently set for January 2028.
- New Mexico (1 case). This case is assigned to Judge Matthew Wilson. A motion to dismiss the forum defendant has been set for hearing on April 2, 2026, and various discovery motions filed by each side have been set for hearing on April 21, 2026 and April 23, 2026. The Rule 16 scheduling conference occurred on November 17, 2025. Trial is set for May 10, 2027.
- Minnesota (1 case). The Matthews Law Firm filed this ten-plaintiff case, which contains only one plaintiff from Minnesota, in Hennepin County on December 30, 2025. The case has been assigned to Judge Colette Routel. Pfizer's responsive pleading is due January 20, 2026.

DATED: January 20, 2026

Respectfully submitted,

<u>/s/ Christopher A. Seeger</u> 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	<u>/s/ Joseph G. Petrosinelli</u> 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
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CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2026, I caused the foregoing Joint Update and Proposed Agenda for January 23, 2026 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