

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION**

MDL No. 2:18-mn-2873-RMG

ORDER

**This Order Relates to
ALL CASES**

In order for the Court to obtain a better understanding of compliance with CMOs 5, 35 and 37, the Court directs the Defense Coordinating Committee (DCC) to submit data regarding the various categories set forth below within 10 days of this order. The DCC must state the source(s) of information upon which its data is based. The Plaintiffs' Executive Committee (PEC) is directed to respond within 10 days thereafter regarding any of the DCC's data that it disputes. For any area of disputed data, the PEC must state what it believes to be the correct numbers and set forth the source(s) of its data. All data submitted must be based on a cutoff date of June 1, 2026.

1. The total number of plaintiffs who have filed claims under CMO 5 and CMO 35.
2. The total number of plaintiffs who have submitted Plaintiff Fact Sheets.
3. The total number of plaintiffs who have submitted deficient Plaintiff Fact Sheets.
4. The total number of plaintiffs who have not submitted a Plaintiff Fact Sheet.
5. The total number of plaintiffs who have submitted medical records.
6. The total number of plaintiffs who have not submitted any medical records.

7. The total number of plaintiffs who have submitted medical records with a qualifying injury.
8. The total number of plaintiffs who have submitted medical records without a qualifying injury.
9. The total number of deficiency notices which have been sent out, broken down by alleged qualifying injury.
10. The present status of the deficiency notices.
11. The number of plaintiff cases which have been dismissed without prejudice.
12. The DCC's current estimate of the number of anticipated motions to dismiss due to non-compliance with CMOs 5, 35, and/or 37 and the schedule for submission of these motions to dismiss.

AND IT IS SO ORDERED.

s/Richard Mark Gergel
Richard Mark Gergel
United States District Judge

May 26, 2026
Charleston, South Carolina