

FILED

NOV 13 2023

JOHN C. PORTO, P.J.Cv.

 IN RE TALC BASED POWDER PRODUCT
LITIGATION

 :
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: ATLANTIC COUNTY

 :
: CASE NO.: 300

 :
: CIVIL ACTION

 :
: **AMENDED CASE MANAGEMENT ORDER**
: **11**

THIS MATTER, having come before the Court by the parties, with the purpose of establishing a process for the production of Plaintiff Profile Forms (“PPF”) in all cases pending in this litigation, and for good cause shown:

IT IS on this 13th of November, 2023,

ORDERED that the completion and service of Plaintiff Profile Forms shall proceed as follows:

1. All plaintiffs, whose cases are pending in the MCL proceeding as of the date of this Order or filed in the future shall complete and serve a Plaintiff Profile Form (attached as Exhibit A)¹; produce the core records specified in paragraph 2; and produce a signed medical records authorization (attached as Exhibit B) (which is not a substitute for production of medical records as required herein).

2. Plaintiffs shall promptly order the following core records and produce them to defense counsel upon receipt:

- a. All Medical records or reports from any hospital, physician, or other health care provider who treated plaintiff for ovarian cancer or any gynecologic disease, condition or symptom alleged in the Complaint and/or PPF; and

¹ The service of an agreed upon Plaintiff Fact Sheet (“PFS”) from another jurisdiction and the production of a signed medical authorization and required records shall comply with this Order. If the plaintiff was living at the time the initial PFS was served, but is now deceased, a PPF shall be served.

b. If applicable, decedent-user's death certificate.

3. The parties have agreed to use MDL Centrality®, an online data management tool specifically designed to manage discovery in mass tort litigations, to complete and serve the Plaintiff Profile Forms and for the exchange of any other responsive discovery documents between the parties. The system is accessible at www.mdlcentrality.com/talc. Plaintiffs' counsel will promptly register with MDL Centrality®.

4. Plaintiffs' counsel shall serve upon Defendants via MDL Centrality: (1) a fully complete and verified PPF; (2) core records as outlined above; and, (3) an executed Limited Authorization to Disclose Health Information in accordance with the following schedule:

- a. For cases filed in or transferred to the MCL during the calendar years 2014, 2015, 2016 and 2017, Plaintiffs shall comply with Paragraphs 1 and 2 by December 17, 2023;
- b. For cases filed in or transferred to the MCL during the calendar year 2018, Plaintiffs shall comply with Paragraphs 1 and 2 by January 12, 2024;
- c. For cases filed in or transferred to the MCL during the calendar year 2019, Plaintiffs shall comply with Paragraphs 1 and 2 by February 23, 2024;
- d. For cases filed in or transferred to the MCL during the calendar year 2020, Plaintiffs shall comply with Paragraphs 1 and 2 by April 5, 2024;
- e. For cases filed in or transferred to the MCL during the calendar year 2021, Plaintiffs shall comply with Paragraphs 1 and 2 by May 17, 2024;
- f. For cases filed in or transferred to the MCL after January 1, 2022, Plaintiffs shall comply with Paragraphs 1 and 2 within 120 days of the date of this order, or the date the complaint was filed, whichever is later in time.

5. If additional time is needed in a specific case for good cause, the parties will meet and confer in good faith to resolve any issues.

6. The parties shall meet and confer in good faith with regard to any deficiency notices before a dispositive motion is filed.

7. If certain core records and/or information are not available despite the best efforts of the plaintiff, the plaintiff shall describe such efforts in response to the question and those efforts may be deemed to be substantial compliance with this Order.

8. This Order supersedes any prior Order with respect to the production of fact sheets except as to cases being worked up for trial.

A handwritten signature in black ink, appearing to read "John C. Porto", is written over a horizontal line.

The Honorable John C. Porto, P.J.Cv.