

July 16 , 2020

Hon. James F. Hyland, J.S.C.

IN RE TAXOTERE LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY

CASE TYPE: MCL NO. 628

MASTER DOCKET NO.:

MID-L-4998-18-CM

**CIVIL ACTION
IN RE TAXOTERE LITIGATION**

CASE MANAGEMENT ORDER NO. 8

THIS MATTER having come before the Court for a Case Management Conference on March 11, 2020, which included presentations and argument by counsel for the parties; and the parties having met and conferred; and in light of the COVID-19 pandemic and Chief Justice Rabner’s recent Orders related to the functioning of the New Jersey Judiciary as well as Governor Phil Murphy’s shelter in place Orders; and for good cause shown:

IT IS on this ___16_____ day of __July_____, 2020, **ORDERED** as follows:

1. By **May 19, 2020**, the parties shall submit a copy of the Plaintiff Fact Sheet and any additional briefing on the issue relating to Plaintiffs’ Third Amended Master Long Form Complaint with respect to the definition of the alleged injury in this MCL. The Court will take all written submissions under consideration, in addition to conferring with Judge Milazzo on this issue.

2. By **May 12, 2020**, the Sanofi Defendants will supplement their responses to Plaintiffs’ First Set of Requests for Production as agreed upon by the parties during their meet and confer on the issue. The parties will meet and confer to discuss any outstanding deficiencies by **June 30, 2020**.

3. By **May 12, 2020**, the Sanofi Defendants will respond to Plaintiffs' February 19, 2020 discovery deficiency letter and Plaintiffs' February 24, 2020 deficiency letter regarding Sanofi's privilege logs. The parties will meet and confer, to the extent necessary, to discuss any outstanding deficiencies regarding these letters by **June 30, 2020**.

4. The individual parties shall continue to meet and confer regarding the alleged metadata deficiencies associated with photographs that Plaintiffs have already produced to Defendants as part of the Plaintiff Fact Sheet process. Defendants shall provide Plaintiffs with an updated list of outstanding deficiencies by **May 12, 2020**. Liaison counsel shall meet and confer, to the extent necessary, to discuss any outstanding deficiencies regarding these letters by **June 30, 2020**.

5. By **May 6, 2020**, Plaintiffs shall provide Defendants with a list of cases in which Plaintiffs claim Defendant Fact Sheets are owed. Defendants shall report back to Plaintiffs with the status of the Defendant Fact Sheets in those cases on or before the morning of **May 19, 2020**.

6. The individual parties shall continue to meet and confer to address the status of Plaintiffs' compliance with Product Identification Order No. 3. Defendants shall provide Plaintiffs with an updated list of outstanding deficiencies by **May 12, 2020**. Liaison counsel shall meet and confer to discuss any outstanding deficiencies by **June 30, 2020**.

7. Plaintiffs and the Sanofi Defendants will update the Court at the Case Management conference as to the status of the joint bellwether proposal for the Court's consideration.

8. Liaison counsel for the Plaintiffs and Defendants are ordered to meet and confer on the status of any alleged deficiencies with the ESI Protocol Governing Plaintiffs' Responsibilities Relevant to ESI by **June 30, 2020**.

9. Electronic filing has been established in this MCL, and the parties shall utilize it moving forward.

10. The next Case Management Conference is scheduled for **May 20, 2020 at 10:00 a.m.** before the Undersigned and will take place telephonically. The Parties shall submit a joint agenda to the Court listing the issues for the case management conference, via e-mail, by **May 14, 2020**. Liaison Counsel for the Plaintiffs shall circulate a dial-in to all counsel of record and the Court prior to the conference. Plaintiffs' Liaison Counsel shall send a proposed agenda to Defendants' Liaison Counsel on or before **May 6, 2020**.

SO ORDERED.

/s/ James F. Hyland
Honorable James F. Hyland, J.S.C.