



in their individual docket associated with MDL 2921. This includes plaintiffs whose cases were removed or transferred to MDL 2921 as well as those who direct filed individual cases into MDL 2921.

B. Counsel shall continue to meet and confer regarding a proper parties order.

C. Allergan has filed its Rule 12(b)(6) motions. Plaintiffs' opposition is due September 8, 2020. Reply is due October 8, 2020.

## **II. SCHEDULING**

The following dates have been scheduled for 2020 case management conferences at 12:00 p.m. Liaison counsel shall appear at 11:00 a.m., unless otherwise stated:

September 14, 2020 (10:30 a.m. via Zoom)

October 19, 2020

November 2, 2020

December 14, 2020

Parties shall meet and confer regarding 2021 dates and shall coordinate with Judge Harz's chambers.

## **III. COMMUNICATION WITH THE COURT AND FILINGS**

No motions shall be filed without leave of Court.

Unless otherwise ordered by this Court, all substantive communications with the Court shall be in writing, with copies to opposing counsel. Nevertheless, the Court recognizes that cooperation by and among plaintiffs' counsel and by and among defendants' counsel is essential for the orderly and expeditious resolution of this litigation. The communication of information among and between plaintiffs' counsel and among and between defendants' counsel shall not be deemed a waiver of the attorney-client privilege or the protection afforded attorney's work

product, and cooperative efforts contemplated above shall in no way be used against any plaintiff by any defendant or against any defendant by any plaintiff. Nothing contained in this provision shall be construed to limit the rights of any party or counsel to assert the attorney-client privilege or attorney work product doctrine.

Counsel may contact *ex parte*, for the purpose of settlement discussions only, Judge Martinotti via email at [brian\\_martinotti@njd.uscourts.gov](mailto:brian_martinotti@njd.uscourts.gov) or Judge Dickson via email at [Chambers\\_of\\_Magistrate\\_Judge\\_Joseph\\_Dickson@njd.uscourts.gov](mailto:Chambers_of_Magistrate_Judge_Joseph_Dickson@njd.uscourts.gov).

Date: August 19, 2020

*/s/Brian R. Martinotti*  
**BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**