

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

<hr style="border: 0.5px solid black; margin-bottom: 10px;"/> <p><b>SHERYL MCCALL and DAVID MCCALL,</b></p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p><b>JANSSEN PHARMACEUTICALS, INC., et al.,</b></p> <p style="text-align: center;"><i>Defendants.</i></p> <hr style="border: 0.5px solid black; margin-top: 10px;"/> <p><i>This Document Relates to All Cases<sup>1</sup></i></p>	<p><b>Case Nos.</b></p>	<p><b>: 3:20-cv-08074; 3:20-cv-12605;</b></p> <p><b>: 3:20-cv-07758; 3:20-cv-14668;</b></p> <p><b>: 3:20-cv-07756; 3:20-cv-14663;</b></p> <p><b>: 3:20-cv-14447; 3:20-cv-09530;</b></p> <p><b>: 3:20-cv-10080; 3:20-cv-07753;</b></p> <p><b>: 3:20-cv-12328; 3:20-cv-11913;</b></p> <p><b>: 3:20-cv-11912; 3:20-cv-12608;</b></p> <p><b>: 3:20-cv-07079; 3:20-cv-10341;</b></p> <p><b>: 3:20-cv-11921; 3:20-cv-12421;</b></p> <p><b>: 3:20-cv-13940; 3:20-cv-10342;</b></p> <p><b>: 3:20-cv-07750; 3:20-cv-14448;</b></p> <p><b>: 3:20-cv-14450; 3:20-cv-15588;</b></p> <p><b>: 3:20-cv-12547; 3:20-cv-14439;</b></p>
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<sup>1</sup> The served cases are: (1) *Rebecca Anthony and Carlie Anthony v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-12605-BRM-ZNQ; (2) *Lynn Brewer and William Brewer v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07758-BRM-ZNQ; (3) *Connie Combs and Roy Combs v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-14668-BRM-ZNQ; (4) *Harriet Comstock v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07756-BRM-ZNQ; (5) *Amanda Cooper v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-14663-BRM-ZNQ; (6) *Vanessa L. Davis v. ALZA Corporation, et al.*, 3:20-cv-14447-BRM-ZNQ; (7) *Sherry Dobbins and James Dobbins v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-09530-BRM-ZNQ; (8) *Carol Dubois v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10080-BRM-ZNQ; (9) *Deborah Edwards v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07753-BRM-ZNQ; (10) *Margaret Emmons v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-12328-BRM-ZNQ; (11) *Marilyn J. Evans v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-11913-BRM-ZNQ; (12) *Iris Groudan v. Janssen Pharmaceuticals Inc., et al.*, 3:20-cv-11912-BRM-ZNQ; (13) *Carol Hardy and Roger Hardy v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-12608-BRM-ZNQ; (14) *Valerie Hull and Edward Hull v. Teva Pharmaceuticals, Inc., et al.*, 3:20-cv-07079-BRM-ZNQ; (15) *Clara Johns v. ALZA Corp., et al.*, 3:20-cv-10341-BRM-ZNQ; (16) *Tiffany Kotz v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-11921-BRM-ZNQ; (17) *Elizabeth Lafave v. Teva Branded Pharmaceutical Products R&D, Inc., et al.*, 3:20-cv-12421-BRM-ZNQ; (18) *Velma Lehmann v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-13940-BRM-ZNQ; (19) *Shirley Ruth Levy v. ALZA Corp., et al.*, 3:20-cv-10342-BRM-ZNQ; (20) *Barbara Mayou and Keith Mayou v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07750-BRM-ZNQ; (21) *Sheryl McCall and David McCall v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-08074-BRM-ZNQ; (22) *Dawn Petrovia v. ALZA Corporation, et al.*, 3:20-cv-14448-BRM-ZNQ; (23) *Susan Preece v. ALZA Corporation, et al.*, 3:20-cv-14450-BRM-ZNQ; (24) *Joyce Rao and Anthony Rao v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-15588-BRM-ZNQ; (25) *Loretta Reid v. Janssen Pharmaceutical, Inc., et al.*, 3:20-cv-12547-BRM-ZNQ; (26) *Stephanie Reid v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-14439-

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: 3:20-cv-10966; 3:20-cv-11919;  
3:20-cv-10968; 3:20-cv-12264;  
3:20-cv-13596; 3:20-cv-14452;  
3:20-cv-14670; 3:20-cv-06070;  
3:20-cv-10960

**JUDGE BRIAN R. MARTINOTTI**  
**JUDGE ZAHID N. QURAIISHI**

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**CASE MANAGEMENT ORDER NO. 8**

The Court having held a case management conference on November 16, 2020, and for good cause shown, enters the following Order:

**I. STATUS OF LITIGATION AND COORDINATION**

A. As of November 17, 2020, 41 cases alleging products liability claims relating to use of Elmiron have been filed in the District of New Jersey with 35 complaints being served. All cases are assigned to Judge Martinotti.

**II. PENDING MOTIONS**

A. All pending motions have been administratively terminated without prejudice for leave to file at a later date. The parties may continue to meet and confer on possible motions to dismiss and shall report on their progress, if necessary, at the next case management conference. Defendants' initial entries of appearance and deadlines to

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BRM-ZNQ; (27) *Maria A. Rodgers v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10966-BRM-ZNQ; (28) *Michelle Scott v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-11919-BRM-ZNQ; (29) *Heather Shaffer v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10968-BRM-ZNQ; (30) *Cynthia Vescio v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-12264-BRM-ZNQ; (31) *Deborah F. Weiner v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-13596-BRM-ZNQ; (32) *Dondra White v. ALZA Corporation, et al.*, 3:20-cv-14452-BRM-ZNQ; (33) *Maria Windham v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-14670-BRM-ZNQ; (34) *Becky Worden v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-06070-BRM-ZNQ; (35) *Ronna York v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10960-BRM-ZNQ.

answer or otherwise plead remain tolled until further order of this Court.

### **III. PROPOSED CASE MANAGEMENT ORDERS**

- A. Plaintiffs and the Janssen Defendants are meeting and conferring regarding a plaintiff fact sheet/defense fact sheet process, and the related collection of signed authorizations and medical records, and shall either submit agreed-upon proposals or report on status during the next case management conference, understanding that the parties reported that they are virtually complete. The parties are coordinating with plaintiffs' counsel in other jurisdictions, including counsel in the EDPA, which includes coordination of the content of these documents and related submissions, as well as processes, so that any agreed to PFS can be used in either jurisdiction.
- B. Plaintiffs and the Janssen Defendants are meeting and conferring on a schedule for the 30 minute follow-up and continued examination relating to the Rule 30(b)(6) deposition of the Janssen Defendants' witness per CMO No. 5. The parties shall report on status during the next case management conference.
- C. The parties also continue to meet and confer on the dismissal of additional Teva entities, and shall report on the status of their discussions at the next case management conference.
- D. Plaintiffs propounded on the Janssen Defendants a master set of discovery requests, including interrogatories and document demands, on November 13, 2020. The parties are meeting and conferring to fashion a single set of master discovery requests for both the New Jersey and Pennsylvania cases.
- E. The parties continue to meet and confer on search terms and document production

issues, and shall provide an update at the next case management conference.

- F. The Janssen Defendants produced their first installment of their rolling document production on October 23, and plan to make a production each month. The parties shall report on status during the next case management conference.

#### IV. COORDINATION/COOPERATION

- A. The parties are continuing to work collaboratively and cooperatively with attorneys in other jurisdictions, who have filed Elmiron lawsuits, to coordinate content and entry of orders, to avoid duplicative efforts and inconsistent processes, and to conserve judicial resources to the extent practicable.
- B. To the extent any other jurisdictions have not issued stays or are proceeding forward, the parties will update the Court on their efforts to coordinate with those other jurisdictions at the next case management conference. Defendants' counsel Michael C. Zogby shall provide updated case and new counsel lists of other jurisdictions' Elmiron new case filings, not simply for new New Jersey filings, as required under CMO No. 1.

#### V. SCHEDULING

- A. The next case management conference is scheduled for **December 7, 2020, at 1:00 p.m.** Counsel for plaintiffs shall provide a reasonable list of attendees in advance of the conference, so that the conference can be conducted by WebEx or Zoom.
- B. Counsel is required to submit via email a joint agenda **three** days prior to the next scheduled conference. If there are any disagreements as to the agenda, counsel shall set forth each party's position.
- C. The parties shall meet and confer on a weekly basis regarding newly filed cases,

and counsel for the Janssen Defendants shall provide a weekly update of cases filed in the District of New Jersey to Dana\_Sledge-Courtney@njd.uscourts.gov.

- D. Counsel shall abide by Judge Martinotti and Judge Quraishi's submission and communication procedures, respectively, unless and until the Court so orders superseding rules for this litigation.

Dated: November 19, 2020

A handwritten signature in black ink, appearing to read "Brian Martinotti", written over a horizontal line.

The Hon. Brian Martinotti, U.S.D.J.