

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

IN RE: INSULIN PRICING LITIGATION

**Case No. 2:23-md-03080 (BRM)(RLS)
MDL No. 3080**

**THIS DOCUMENT RELATES TO: ALL
CASES**

**JUDGE BRIAN R. MARTINOTTI
JUDGE RUKHSANAH L. SINGH**

CASE MANAGEMENT ORDER #5

The Court held a Case Management Conference in this multidistrict litigation (“MDL”) on November 28, 2023. This Case Management Order memorializes the decisions made by the Court during that conference and incorporates relevant updates and revisions based on events that have occurred in this MDL since that conference.

I. MONTHLY CASE MANAGEMENT CONFERENCES

1. The next case management conference for this MDL will commence at 12:00 p.m. on Tuesday, April 9, 2024.

2. Unless adjourned or otherwise scheduled, case management conferences for this MDL will be held on the second Tuesday of every month.¹

II. COURT APPEARANCES

1. For Plaintiffs, only designated Liaison and Lead Counsel should formally enter their appearance at future case-management conferences. Appearances by any other counsel for

¹ See also ECF No. 34 at 10 (CMO #3, Section VII – listing the dates of the case management conferences for this MDL for 2024, unless otherwise scheduled); ECF No. 111 (March 14, 2024 Text Order stating: “Unless otherwise scheduled, all future MDL Case Management Conferences held in this matter will start promptly at 12:00 pm, and the pre-conference meeting with Lead and Liaison Counsel will start promptly at 11:00 am. All persons appearing in person should arrive to Courtroom 1 by no later than 11:45 am on the date of the conference, except for Lead and Liaison Counsel who should arrive to Courtroom 1 by no later than 10:45 am.”).

Plaintiffs who attended but did not formally enter an appearance on the record shall be emailed to the court reporter and the courtroom deputy.

2. Following each case-management conference held in this MDL, any counsel who attended but did not formally enter an appearance shall email appointed counsel who shall email the court reporter and the courtroom deputy with the name(s) of the attorney(s) whose appearance should be noted on the record.

III. BIWEEKLY MDL STATUS REPORTS

1. The parties are to submit a joint biweekly status report to the Court by 5:00 p.m. every other Friday, beginning on March 22, 2024. Plaintiffs and Defendants shall each appoint one representative to coordinate preparing and submitting the biweekly status report.

2. The joint biweekly status reports should be limited to objective statements of material developments during the prior week and should not include any arguments.

IV. MDL MOTION PRACTICE

1. No motions are to be filed in this MDL without leave of Court.

2. Before a party files a motion in this MDL, the parties must first meet and confer in good faith to attempt to resolve the issue(s).

3. If the meet-and-confer is unsuccessful, the party wishing to file a motion in this MDL must submit a pre-motion letter of no more than three (3) single-spaced pages explaining the grounds for the proposed motion and why good cause exists to permit its filing.

4. Within five (5) business days after receipt of a pre-motion letter, any party that wishes to oppose the filing of the motion shall submit a letter of no more than three (3) single-spaced pages setting forth why the Court should not grant the request.

5. Any requests to file a motion to dismiss, including any dispute(s) regarding the

form of such motions, must be submitted in accordance with this pre-motion letter practice.

6. A party's submission of a pre-motion letter will toll any applicable deadline until seven (7) days after the Court grants or denies the request.

IT IS SO ORDERED.

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

Dated: April 2, 2024