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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: JUUL LABS INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. [19-md-02913-WHO](#)

**AGENDA FOR NOVEMBER 8, 2019
INITIAL STATUS CONFERENCE**

This Document Relates to:
ALL ACTIONS

Given the amount of time I have available (due to an ongoing trial), and my decision to review the results of the initial census before selecting the Plaintiffs' Leadership Team, I thought it would be helpful to outline my goals for the Initial Status Conference.

First, I will convey my sense of urgency in moving this case forward. The allegations are very serious and raise significant public health concerns. My expectation is that all parties share this sense of urgency and will move forward together in a speedy, collaborative, and efficient manner to secure a just resolution of these cases. In that regard, I will appoint a small interim leadership team for plaintiffs at the end of the Conference. Its primary role will be to address preliminary discovery issues, such as the Protective Order, ESI Protocol, selection of necessary vendors, and discovery planning that can occur before the final leadership team is in place. During the course of this MDL, I will hold monthly telephone status conferences. The first such conference will be on December 9, 2019 at 3:00 p.m. Pacific Standard Time. The plaintiffs' interim leadership team and defendants shall propose the agenda for the December status conference and provide it to me on December 6, 2019.

Second, I would like to hear briefly from the lawyers who want to serve on Plaintiffs' Leadership or Steering Committee. I do not need a repetition of your resumes, but I do want to know why it is important that you be in the Leadership Structure and whether you have any

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1 particular ideas on how to move the case forward.

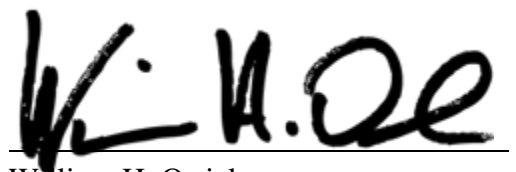
2 To be clear, I appreciate the effort that went into building the proposed leadership groups,
3 but I do not intend to adopt either of them wholesale. The factors identified by Ms. London in her
4 letter are the factors about which I am most concerned. I am not inclined to formally track the
5 case through the Leadership Structure suggested by Ms. Sharp. I have concerns about the size of
6 the Leadership Structure, and until I receive the census results I will not be able to knowledgably
7 balance the selection of lawyers in light of the numbers, types, and scope of the cases within the
8 MDL. I should emphasize that there is no guarantee that anyone I have asked to serve in an
9 interim role will be selected for the final Leadership Structure once I have the information
10 necessary to make the selections.

11 Procedurally, at the Initial Status Conference, I will limit individual presentations to two
12 minutes. The first counsel to speak will be Ms. London. Then, I wish to hear from lawyers who
13 primarily are bringing class actions, starting with Mr. Gutride, Mr. Nafisi, and Ms. Drake,
14 followed by Ms. Sharp. All others should position themselves so that they can quickly follow to
15 the podium. Next, I will hear from lawyers who primarily represent individuals, starting with Ms.
16 Relkin and Mr. Van Zandt. All others should position themselves so that they can quickly follow
17 to the podium. Finally, I will hear from those primarily representing local and state governmental
18 entities and school districts. Mr. Cartmell and Mr. Kawamoto should start, and then all others
19 should position themselves so that they can quickly follow to the podium.

20 Finally, as time allows, I will address the other matters listed on the proposed agenda
21 submitted by the parties, starting with the defendants' organization (item two on the proposed
22 agenda).

23 **IT IS SO ORDERED.**

24 Dated: November 6, 2019

25 

26 William H. Orrick
27 United States District Judge
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