



September 16, 2020

VIA ECF

Honorable Judge Claire C. Cecchi
United States District Court
District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

**In Re: Proton-Pump Inhibitor Products Liability Litigation
2:17-md-2789 (CCC)(MF) (MDL 2789)**

Dear Judge Cecchi,

Plaintiffs respectfully submit the attached Proposed Case Management Order, which summarizes Your Honor's instructions and rulings at the September 10, 2020 Status Conference. Defendants' counsel have reviewed and agreed to this proposed Order.

We thank the Court for its time and courtesy, and should the Court have any questions or concerns regarding this submission, please do not hesitate to contact me.

Respectfully submitted,

/s/ Christopher A. Seeger
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On behalf of the Plaintiffs' Steering Committee

cc: All Counsel of Record (via ECF)

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

IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION	2:17-MD-2789 (CCC)(MF) (MDL 2789)
This Document Relates to: ALL ACTIONS	Judge Claire C. Cecchi

**[PROPOSED]
CASE MANAGEMENT ORDER NO. _____**

The Court, after having held a case management conference on September 10, 2020 and having heard from the parties, enters the following ORDER:

1. The parties shall meet and confer on a procedure for addressing dismissed bellwether cases and will report back to the Court on or before September 24, 2020. The parties may request the guidance of Settlement Master Reisman on this issue.

2. CMO 36 is amended as follows:

- a. The deadline by which to complete bellwether core discovery shall be extended to November 2, 2020.
- b. If the parties are unable to agree on which of the bellwether trial candidates should be selected for trial, the parties shall submit simultaneous letter briefs on November 9, 2020, setting forth their respective recommendations as to which cases the Court should select.
- c. The Court shall select the bellwether trial cases by November 20, 2020.
- d. There are no other changes to the bellwether schedule.

3. The parties shall meet and confer on a protocol to govern the depositions of health care providers and report back to the Court by 5 p.m. eastern on September 14, 2020 on the status of these negotiations. The first bellwether health care provider deposition is set for September 22,

2020 and the parties intend for it to proceed.

4. For any AstraZeneca custodial file productions completed as of September 10, 2020, the PSC shall notify the AstraZeneca Defendants of any additional witnesses it intends to depose by September 17, 2020.

5. For any AstraZeneca custodial file productions completed after September 10, 2020, the PSC shall review those documents and identify for Defendants on a rolling basis, and begin scheduling, any additional witnesses they intend to depose.

6. The Court shall address the PSC's request to extend general discovery in the bellwether cases at the next case management conference. The AstraZeneca Defendants have indicated they expect to complete outstanding custodial file productions, for currently-requested MDL custodians, in mid to late October 2020.

7. The parties are continuing to meet and confer on Defendants' request for an initial Plaintiff Profile Form and Stage 2 Case Management Order and may request the guidance of Settlement Master Reisman on these case management orders.

8. The Court has scheduled a telephonic case management conferences for October 22, 2020 at 3 p.m. Dial-in information shall be included in the parties' Joint Report and Agenda, which shall be submitted in advance of the conference.

SO ORDERED:

Dated: Newark, New Jersey
September ____, 2020

CLAIRE C. CECCHI
United States District Judge