

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

IN RE: TESTOSTERONE REPLACEMENT THERAPY PRODUCTS LIABILITY LITIGATION	MDL No. 2545
This Document Relates to All Cases	Master Docket Case No. 1:14-cv-01748 Hon. Judge Matthew F. Kennelly

**JOINT STATUS REPORT
REGARDING BELLWETHER SCHEDULE**

The Court directed counsel to file this joint report regarding the status of the parties' discussions regarding an amendment to the bellwether schedule currently set forth in Case Management Order No. 14.

While the parties agree that the schedule needs to be extended, they disagree regarding the scope and amount of time needed to complete various of the discovery and pre-trial tasks.

I. Plaintiffs' Proposal

At the November 12 CMC, the Court recognized the potential need to revisit the timing of the bellwether discovery process, which is governed by Amended CMO No. 14. Both AbbVie and the PSC agree that the schedule should be extended, but it is the PSC's position that the structure of Amended CMO No. 14 should govern and that all the dates in that CMO after the commencement of core discovery on November 1, 2015 should be extended uniformly by 90 days, as opposed to any proposal that would extend certain deadlines for longer or shorter periods. It is important to note that CMO 14 was entered by this Court after extensive briefing and oral argument. It is a well conceived schedule for litigating bellwether cases toward trial.

The Court's request for proposals on extending the deadline for discovery in CMO 14 should not be used as an opportunity to unwind the structure of Amended CMO No. 14.

The PSC anticipates that AbbVie will seek more time than is necessary to account for the collection and production of custodial files of sales representatives that called on doctors in the selected cases. Previously, AbbVie argued at the November 12 CMC in favor of compressing the schedule by seeking full fact and expert discovery in all the 32 discovery cases, but now the PSC expects AbbVie to ask for a prolonged delay to address an issue that AbbVie has known about for months. AbbVie should have had these files ready, and the 90-day extension proposed by the PSC is entirely reasonable.

The PSC has attached as Exhibit A hereto a Proposed Second Amended CMO No. 14, which incorporates the uniform 90-day extension (with slight modifications in some instances to the following Monday in the event a deadline fell on a weekend) and also incorporates the concept raised by the Court at the November 12 CMC of possibly expanding the number of cases proceeding to full fact and expert discovery (rather than limited core discovery) from six potentially up to twelve. It is the PSC's understanding that, while the Court was considering whether to select up to 12 cases to move forward to full fact and expert discovery, it had not been decided whether there would be more than the six initial trials contemplated by CMO No. 14. After core discovery is completed, the PSC anticipates including in its proposal for selecting the cases that will proceed to full fact and expert discovery a request that discovery in those cases be sequenced to facilitate, among other things, witness availability (principally experts) and any motion practice. The PSC's proposal also suggests starting first with a trial involving a clotting injury and then alternating trials between cases involving cardiovascular and clotting injuries.

In sum, the PSC's proposal would start the first trial in January 2017. This is a reasonable delay of the original trial schedule that still keeps the MDL moving in an efficient manner. Any amendment of CMO 14 that would delay trials until later in 2017 is too much of a departure from the original trial schedule and needlessly delays the MDL. The following table summarizes the deadlines set forth in Amended CMO No. 14 and the PSC's proposal:

Event	Am. CMO No. 14	PSC's Proposal
Core Discovery (Am. CMO 14 § II.A)	Nov. 1, 2015 to Jan. 15, 2016	Nov. 1, 2015 to April 14, 2016
Parties' proposals for selecting initial trial cases (Am. CMO 14 § II.B)	Feb. 15, 2016	May 16, 2016
Court selects first three TE trials and first three cardiovascular trials (Am. CMO 14 § II.C)	March 1, 2016	May 30, 2016
End of Bellwether Fact Discovery (Am. CMO 14 § II.E.)	April 15, 2016	July 14, 2016
Plaintiffs disclose experts (Am. CMO 14 § III.A)	May 2, 2016	Aug.1, 2016
Defendants disclose experts (Am. CMO 14 § III.B)	June 6, 2016	Sept. 5, 2016
Completion of expert depositions (Am. CMO 14 § III.E)	July 11, 2016	Oct. 10, 2016
Any motion for summary judgment or partial summary judgment (Am. CMO 14 § IV.A.)	Aug. 1, 2016	Oct. 31, 2016
Any motions seeking to challenge expert testimony pursuant to <i>Daubert</i> (Am. CMO 14 § IV.B)	Aug. 1, 2016	Oct. 31, 2016
Responses to summary judgment motions and <i>Daubert</i> motions (Am. CMO 14 § IV.C)	Aug. 29, 2016	Nov. 28, 2016
Replies in support of summary judgment motions and <i>Daubert</i> motions (Am. CMO 14 § IV.D)	Sept. 19, 2016	Dec. 19, 2016
Court endeavors to rule on summary judgment and <i>Daubert</i> motions (Am. CMO 14 § IV.E)	Oct. 10, 2016	Jan. 9, 2017
TE Trial No. 1 (Bellwether No. 1) (Am. CMO 14 § V.1)	Oct. 31, 2016	Jan. 30, 2017
CV Trial No. 1 (Bellwether No. 2) (Am. CMO 14 § V.2)	Dec. 5, 2016	March 6, 2017

Event	Am. CMO No. 14	PSC's Proposal
TE Trial No. 2 (Bellwether No. 3) (Am. CMO 14 § V.3)	Jan. 9, 2017	April 10, 2017
CV Trial No. 2 (Bellwether No. 4) (Am. CMO 14 § V.4)	Feb. 13, 2017	May 15, 2017
TE Trial No. 3 (Bellwether No. 5) (Am. CMO 14 § V.5)	March 20, 2017	June 19, 2017
CV Trial No. 3 (Bellwether No. 6) (Am. CMO 14 § V.6)	April 24, 2017	July 24, 2017

II. AbbVie's Proposal

AbbVie has revisited the schedule, segment by segment, to make sure the deadlines are realistic given the amount of work that remains to be done. AbbVie's proposed schedule is set forth in the edited version of Case Management Order No. 14 attached as Exhibit B, and a timeline depicting AbbVie's proposal is attached as Exhibit C.

Core Fact Discovery:

Current CMO: 75 days (ending January 15, 2016)

AbbVie's Proposal: 212 days¹ (ending June 30, 2016)

During this phase, AbbVie will:

- Collect and review additional medical records, from approximately 300 providers, for the 32 bellwether cases;
- Prepare and respond to additional written discovery;
- Collect available records for the 52 sales representatives who are relevant to the bellwether cases;
- Depose and/or defend 256 fact witnesses;
- Produce remaining Tier A and Tier B custodial files (56 total);
- Produce additional custodial files yet to be identified; and

¹ This estimate assumes discovery will not begin until December 1.

- Prepare for and defend the depositions of up to 40 additional AbbVie witnesses (3 scheduled for December, 3 scheduled for January, 33 yet to be scheduled).

Court's Choice Of Bellwether Trial Cases:

Current CMO: 46 days (ending March 1, 2016)

AbbVie Proposal: 32 days (ending August 1, 2016)

During this phase, the parties will submit proposals and responses relating to the selection of trial cases. The Court could shorten the time between the close of core fact discovery and the selection of the trial cases, which would allow more time for the other work that remains.

Complete Fact Discovery & Conduct Expert Discovery For Trial Cases:

Current CMO: 132 days (ending July 11, 2016)

AbbVie Proposal: 211 days (ending February 28, 2017)

During this phase, the parties will:

- Collect any additional medical records needed;
- Depose any remaining fact witnesses in the 12 trial cases;
- Complete any remaining discovery of AbbVie;
- Identify and disclose generic and case-specific experts;
- Depose experts on both sides; AbbVie estimates 4-5 generic experts per side, and 6 case-specific experts per side.

Dispositive and *Daubert* Motions:

Current CMO: 70 days (ending September 19, 2016)

AbbVie Proposal: 185 days (ending September 1, 2017)

During this phase, the parties will:

- Fully brief dispositive motions;
- Fully brief *Daubert* motions;
- Conduct *Daubert* hearings for selected experts if and as requested by the Court.²

Finally, this schedule provides the Court sufficient time to evaluate and rule on the pending motions before any trial. Pretrial rulings may be fully or partially dispositive of the claims scheduled for trial; those rulings will increase the productiveness of the pretrial process, provide guidance to the parties about any claims that remain, and thereby increase efficiencies.

III. Case Selection

The current bellwether discovery pool is short three cases, which pursuant to CMO 14 would be 1 CV case and 2 TE cases. At the November 11, 2015 CMC, the Court ordered that it would randomly select those cases from among the remaining bellwether eligible cases in which the plaintiff was over 65 at the time of injury. The parties have reviewed the cases and determined that there are 2 remaining TE cases and 12 remaining CV cases with plaintiffs over 65 at the time of injury (list provided below). Given this split in eligible cases, the parties would like to further address the selection of the remaining bellwether cases with the Court on the teleconference scheduled for November 18th.

Over 65 Cases:

Ascher, Richard -- CV
Bailey, Lloyd -- CV
Estroff, Malcolm -- CV
Haines, Robert -- CV
Haney, James -- CV
Hinds, Fornie -- CV
Hudnall, William -- CV
Kolheim, Leo -- CV
LaForest, Kenneth -- CV

² As has been done in other mass tort litigation, it may be efficient to schedule a joint *Daubert* hearing with respect to witnesses who are common to the state court litigations.

Moss, Donald -- CV
Nolte, Robert -- TE
Rowley, Robert -- TE
Whitesell, Leon -- CV
Woods, James -- CV

Dated: November 18, 2015

Respectfully submitted,

/s/ Trent B. Miracle

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Attorney for AbbVie Inc. and Abbott Laboratories

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2015, the foregoing document was filed via the Court's CM/ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

/s/ Michelle Hart Yeary

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: TESTOSTERONE REPLACEMENT
THERAPY PRODUCTS LIABILITY
LITIGATION

Case No. 1:14-CV-01748
MDL No. 2545

JUDGE MATTHEW F. KENNELLY

This document relates to: ALL CASES

[PROPOSED] SECOND AMENDED
CASE MANAGEMENT ORDER NO. 14
CASE MANAGEMENT PLAN – Part 2
(AbbVie bellwether cases – selection and pretrial / trial schedule)

The Court hereby issues the following Second Amended Case Management Order No.

14. For ease of reference to all counsel and litigants, all amendments to Amended Case Management Order No. 14 are indicated by being underlined.

The Court has considered the parties' proposals and revised proposals for a case management plan relating to the selection and trial of AbbVie-only bellwether cases. The Court is unpersuaded that the revised proposal by the AbbVie defendants to bifurcate expert discovery and summary judgment (as between general causation and other matters) represents a fair, efficient, and reasonable way to manage the pretrial proceedings in this case. One factor in this regard, but certainly not the only one, is the fact that this MDL proceeding involves six other manufacturer defendants. The Court is unconvinced that there is a fair, efficient, and reasonable way to adopt AbbVie's proposal in a way that makes the overall MDL proceeding manageable.

The Court has, however, elongated to some extent the overall process as proposed by plaintiffs for selecting AbbVie-only bellwether cases. The Court has done so to ensure fairness to all parties and to maximize the likelihood that the bellwether selection and trial process will

be both representative and productive. The Court has also established a fact discovery cutoff date for the AbbVie-only bellwether cases, subject to modification upon a showing of good cause and due diligence.

The Court enters this schedule based on the express understanding, as discussed at the most recent case management conference, that counsel will promptly negotiate and present a proposed case management plan or plans for the non-AbbVie-only cases.

The Court orders the following:

I. PROTOCOL FOR SELECTION OF ABBVIE BELLWETHER CASES

A. On or before August 10, 2015, the parties shall submit to the Court a proposed Case Management Order ("CMO") identifying the process and parameters for selecting AbbVie- only bellwether plaintiffs for two tiers of cases: (1) Thromboembolism ("TE") clotting injury cases (e.g., deep vein thrombosis ("DVT"), Pulmonary Embolism ("PE"), or other clotting cases; and (2) cardiovascular cases (e.g., heart attack). The Court will endeavor to enter a CMO in this regard by August 31, 2015. Only cases that have been filed and for which plaintiff's fact sheets have been completed in accordance with Amended CMO 9 on or before June 15, 2015 will be eligible to be selected as a bellwether plaintiff.

B. By October 31, 2015, the Plaintiffs and Defendants shall identify the following AbbVie-only cases:

1. Eight (8) TE injury bellwether candidates per side that shall serve as bellwether discovery plaintiffs. The process and mechanisms of designations and selections of bellwethers shall be done in accordance with a separate CMO that will be submitted to the Court on or before August 10, 2015, as set forth in paragraph I.A, above.

2. Eight (8) cardiovascular injury bellwether candidates per side that shall serve as bellwether discovery plaintiffs. The process and mechanisms of designations and selections of bellwethers shall be done in accordance with a CMO that will be submitted to the Court on or before August 10, 2015, as set forth in paragraph I.A, above.

II. ABBVIE BELLWETHER FACT DISCOVERY SCHEDULE

A. Between November 1, 2015 and April 14, 2016, core bellwether discovery shall take place, with a maximum of four (4) depositions per side for each case. This shall be designed to provide information to enable the parties to assess the larger pool of cases and, consistent with paragraph II.B, below, to provide information to the Court to enable the Court to select which cases shall serve as the first bellwether trials consistent with paragraph II.C., below.

B. On or before May 16, 2016, in accordance with the CMO described in paragraph I.A above, the parties will develop a methodology for proposing and selecting, with the Court's involvement, which of the bellwether cases should be selected as initial trial cases. As part of that CMO, each side shall provide the Court with the specified number of bellwether cases from which the trial pool will be selected.

C. By May 30, 2016, the Court will select which bellwether cases are to serve as the first three TE trials and which are to serve as the first three cardiovascular trials and shall designate the order of these bellwether trials. The Court may select as many as six additional cases to proceed with full fact and expert discovery, based on such considerations as the Court may later determine and after the parties have an opportunity to address those considerations.

D. The bellwether cases that are initially selected and those that are ultimately the picked as the initial trials are to be representative cases.

E. Fact discovery regarding the bellwether cases is to be completed by July 14, 2016. This does not relieve a party of its duty to supplement its disclosures as provided under the Federal Rules of Civil Procedure, CMOs entered in this case, or other applicable law and rules. Any request to extend or reopen fact discovery after July 14, 2016 must be supported by a showing of good cause and due diligence.

III. ABBVIE BELLWETHER EXPERT DISCOVERY SCHEDULE

A. On or before August 1, 2016, Plaintiffs shall disclose expert witness testimony for each of the first six (6) bellwether trial cases pursuant to Fed. R. Civ. P. 26(a)(2).

B. On or before September 5, 2016, Defendants shall disclose expert witness testimony for each of the first six (6) bellwether trial cases pursuant to Fed. R. Civ. P. 26(a)(2).

C. Any request by Plaintiffs to disclose rebuttal expert witness testimony must be made promptly following receipt of defendants' Fed. R. Civ. P. 26(a)(2) disclosures.

D. Each expert witness disclosure shall include at least two available dates when each expert is being tendered for deposition.

E. Depositions of expert witnesses are to be completed by October 10, 2016. The parties may propose a more extended schedule for case-specific expert depositions concerning bellwether trials 2 through 6.

F. The parties intend that the limitations on expert discovery set forth in Rule 26 of the Federal Rules of Civil Procedure, including the provision of Rule 26(b)(4)(A)-(D) limiting discovery with respect to draft reports, communications with experts, and depositions

of consulting experts, shall apply to all cases, whether pending in state or federal court. Accordingly, in order to foster cooperation between the MDL and state court litigations, counsel for the parties shall jointly seek to enter in all state court proceedings, whether already filed or hereafter filed, an order expressly agreeing that the limitations on expert discovery set forth in Rule 26(b)(4)(A)-(D) shall apply in all such state court proceedings.

**IV. SUMMARY JUDGMENT & DAUBERT
MOTIONS IN ABBVIE BELLWETHER CASES**

A. Any motion for summary judgment or for partial summary judgment shall be filed on or before October 31, 2016.

B. Any motions seeking to challenge expert testimony pursuant to *Daubert* shall be filed on or before October 31, 2016.

C. Responses to summary judgment motions and *Daubert* motions shall be filed on or before November 28, 2016.

D. Replies in support of summary judgment motions and *Daubert* motions shall be filed on or before December 19, 2016.

E. The Court will endeavor to rule on any summary judgment and *Daubert* motions relating to the earlier bellwether trials by January 9, 2017 and on the remaining motions at reasonable intervals after that.

V. INITIAL ABBVIE BELLWETHER TRIAL SCHEDULE

The first six AbbVie-only initial bellwether trials shall begin on the following dates:

1. MDL TE #1 (Bellwether No. 1) shall begin on January 30, 2017.
2. MDL Cardiovascular #1 (Bellwether No. 2) shall begin on March 6, 2017.
3. MDL TE #2 (Bellwether No. 3) shall begin on April 10, 2017.
4. MDL Cardiovascular #2 (Bellwether No. 4) shall begin on May 15, 2017.

5. MDL TE #3 (Bellwether No. 5) shall begin on June 19, 2017.
6. MDL Cardiovascular #3 (Bellwether No. 6) shall begin on July 24, 2017.

This trial schedule is subject to modification if, among other reasons, summary judgment is granted for defendants in some but not all of the selected bellwether trials.

IT IS SO ORDERED.

Date: _____

Matthew F. Kennelly
United States District Judge

Exhibit B

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: TESTOSTERONE REPLACEMENT
THERAPY PRODUCTS LIABILITY
LITIGATION**

**Case No. 1:14-CV-01748
MDL 2545**

JUDGE MATTHEW F. KENNELLY

This document relates to: ALL ACTIONS

**AMENDED CASE MANAGEMENT ORDER NO. 14
CASE MANAGEMENT PLAN – Part 2
(AbbVie bellwether cases – selection and pretrial / trial schedule)**

The Court has considered the parties' proposals and revised proposals for a case management plan relating to the selection and trial of AbbVie-only bellwether cases. The Court is unpersuaded that the revised proposal by the AbbVie defendants to bifurcate expert discovery and summary judgment (as between general causation and other matters) represents a fair, efficient, and reasonable way to manage the pretrial proceedings in this case. One factor in this regard, but certainly not the only one, is the fact that this MDL proceeding involves six other manufacturer defendants. The Court is unconvinced that there is a fair, efficient, and reasonable way to adopt AbbVie's proposal in a way that makes the overall MDL proceeding manageable.

The Court has, however, elongated to some extent the overall process as proposed by plaintiffs for selecting AbbVie-only bellwether cases. The Court has done so to ensure fairness to all parties and to maximize the likelihood that the bellwether selection and trial process will be both representative and productive. The Court has also established a fact discovery cutoff date for the AbbVie-only bellwether cases, subject to modification upon a showing of good cause and due diligence.

The Court enters this schedule based on the express understanding, as discussed at the most recent case management conference, that counsel will promptly negotiate and present a

proposed case management plan or plans for the non-AbbVie-only cases.

The Court orders the following:

I. PROTOCOL FOR SELECTION OF ABBVIE BELLWETHER CASES

A. On or before August 10, 2015, the parties shall submit to the Court a proposed Case Management Order ("CMO") identifying the process and parameters for selecting AbbVie-only bellwether plaintiffs for two tiers of cases: (1) Thromboembolism ("TE") clotting injury cases (e.g., deep vein thrombosis ("DVT"), Pulmonary Embolism ("PE"), or other clotting cases; and (2) cardiovascular cases (e.g., heart attack). The Court will endeavor to enter a CMO in this regard by August 31, 2015. Only cases that have been filed and for which plaintiff's fact sheets have been completed in accordance with Amended CMO 9 on or before June 15, 2015 will be eligible to be selected as a bellwether plaintiff.

B. By October 31, 2015, the Plaintiffs and Defendants shall identify the following AbbVie-only cases:

1. Eight (8) TE injury bellwether candidates per side that shall serve as bellwether discovery plaintiffs. The process and mechanisms of designations and selections of bellwethers shall be done in accordance with a separate CMO that will be submitted to the Court on or before August 10, 2015, as set forth in paragraph I.A, above.
2. Eight (8) cardiovascular injury bellwether candidates per side that shall serve as bellwether discovery plaintiffs. The process and mechanisms of designations and selections of bellwethers shall be done in accordance with a CMO that will be submitted to the Court on or before August 10, 2015, as set forth in paragraph I.A, above.

II. ABBVIE BELLWETHER FACT DISCOVERY SCHEDULE

A. Between December 1, 2015 and June 30, 2016, core bellwether discovery shall take place, with a maximum of four (4) depositions per side for each case. This shall be designed to provide information to enable the parties to assess the larger pool of cases and, consistent with paragraph II.B, below, to provide information to the Court to enable the Court to select which cases shall serve as the first bellwether trials consistent with paragraph II.C, below.

B. On or before July 15, 2016, the parties will submit proposals for the selection of initial bellwether trial cases.

C. By August 1, 2016, the Court will select up to twelve (12) bellwether cases are to serve as the first trials and shall designate the order of these bellwether trials.

D. The bellwether cases that are picked as the initial trials are to be representative cases.

E. Additional fact discovery regarding the bellwether trial cases is to be completed by September 30, 2016. This does not relieve a party of its duty to supplement its disclosures as provided under the Federal Rules of Civil Procedure, CMOs entered in this case, or other applicable law and rules. Any request to extend or reopen fact discovery after September 30, 2016 must be supported by a showing of good cause and due diligence.

III. ABBVIE BELLWETHER EXPERT DISCOVERY SCHEDULE

A. On or before October 14, 2016, Plaintiffs shall disclose expert witness testimony for each of the initial bellwether trial cases pursuant to Fed. R. Civ. P. 26(a)(2).

B. On or before November 18, 2016, Defendants shall disclose expert witness testimony for each of the initial bellwether trial cases pursuant to Fed. R. Civ. P. 26(a)(2).

C. Any request by Plaintiffs to disclose rebuttal expert witness testimony must be made by November 25, 2016 promptly following receipt of defendants' Fed. R. Civ. P. 26(a)(2) disclosures. Any rebuttal disclosures allowed by the Court are to be completed by December 19, 2016.

D. Each expert witness disclosure shall include at least two available dates when each expert is being tendered for deposition.

E. Depositions of expert witnesses are to be completed by February 28, 2017.

F. The parties intend that the limitations on expert discovery set forth in Rule 26 of the Federal Rules of Civil Procedure, including the provision of Rule 26(b)(4)(A)-(D) limiting discovery with respect to draft reports, communications with experts, and depositions of consulting experts, shall apply to all cases, whether pending in state or federal court.

Accordingly, in order to foster cooperation between the MDL and state court litigations, counsel for the parties shall jointly seek to enter in all state court proceedings, whether already filed or hereafter filed, an order expressly agreeing that the limitations on expert discovery set forth in Rule 26(b)(4)(A)-(D) shall apply in all such state court proceedings.

IV. SUMMARY JUDGMENT & DAUBERT MOTIONS IN ABBVIE BELLWETHER CASES

A. Any motion for summary judgment or for partial summary judgment shall be filed on or before May 31, 2017.

B. Any motions seeking to challenge expert testimony pursuant to *Daubert* shall be filed on or before May 31, 2017.

C. Responses to summary judgment motions and *Daubert* motions shall be filed on or before July 14, 2017.

D. Replies in support of summary judgment motions and *Daubert* motions shall be filed on or before September 1, 2017.

E. As soon as possible after the filing of reply briefs, the Court will advise whether it intends to hold *Daubert* hearings and set a schedule for same.

E. The Court will endeavor to rule on any summary judgment and *Daubert* motions relating to the earlier bellwether trials by November 30, 2016 and on the remaining motions at reasonable intervals after that.

V. INITIAL ABBVIE BELLWETHER TRIAL SCHEDULE

The first AbbVie-only initial bellwether trials shall begin on the following dates:

1.

This trial schedule is subject to modification if, among other reasons, summary judgment is granted for defendants in some but not all of the selected bellwether trials.

IT IS SO ORDERED.

Date: May 15, 2015

United States District Judge
Matthew F. Kennelly

Exhibit C

Bellwether Selection and Pretrial Schedule

2015													2016													2017												
Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec														

CORE BELLWETHER DISCOVERY

- 7/15 Proposals for trial bellwethers
- 8/1 Court selection

TRIAL BELLWETHER DISCOVERY

- 9/30 Fact Disc.
- 10/14 Pltfs expert disclosure
- 11/18 Defs expert disclosure
- 12/19 Any rebuttal disclosures
- Expert Deps. ➡ ● 2/28

MSJ/DAUBERT MOTION PRACTICE

- 5/31 MSJ, *Daubert* Motions
- 7/14 Responses
- 9/1 Replies
- Court rules ➡ ● 11/30