

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CIVIL MINUTES

Date: January 13, 2020	Time: 50 minutes 3:00 p.m. to 3:50 p.m.	Judge: WILLIAM H. ORRICK
Case No.: 19-md-02913-WHO	Case Name: In Re: Juul Labs, Inc., Marketing, Sales Practices	

Attorneys for Plaintiffs: Co-Lead Counsel: Sarah R. London, Dena C. Sharp, Dean Kawamoto and Ellen Relkin.

Attorneys for Defendants: John C. Massaro, Austin V. Schwing, Elizabeth J. Low, Renee Smith, and Scott Richburg (participated in *in camera* conference); Mike Brock and David M. Bernick (appeared for Status Conference).

Additional counsel attended Status Conference in a non-speaking capacity both via personal and telephonic appearance.

Deputy Clerk: Jean Davis

Court Reporter: Katherine Sullivan

PROCEEDINGS

At 3:00 p.m. Plaintiffs' Co-Lead counsel and defense counsel identified above participated in an *in camera* conference.

At 3:35 p.m. Case Management Conference held in open court.

The Court summarized the topics discussed in the *in camera* conference, including: the importance of continued civility and cooperation between counsel, which to date has been excellent and has allowed this MDL to proceed efficiently; the effective utilization of Magistrate Judge Corley as the discovery judge; the work of Professor Dodge in the Initial Census process, which was of great assistance to the Court, and what role she might play in the future; and the need for the parties to think about an effective approach to and timing regarding settlement discussions as well as the person(s) who the Court might appoint to assist them.

The Court indicated that Judge Corley would enter the proposed discovery protocol on January 14, 2020 and that the schedule suggested by the parties for a Rule 26(f) conference by January 30, 2020, the filing of complaints by March 6, 2020, and defendants' notice of Rule 12 motions within 30 days of the filing of the complaints was adopted. The parties will then propose a briefing schedule for those motions.

The Court stated that the proposed timekeeping protocol for the Common Benefit Order would be entered with some modifications. The Court will review the time and expense records approved by Plaintiffs' Leadership Team on a quarterly basis at the outset of this case with an eye on efficiency in litigation and moderation in expenses.

The Court discussed the importance of effective coordination with state court actions and has had a preliminary call with Judge Jones to pledge maximum cooperation with the JCCP.

Prior to the next conference, the Court requests a list of all pending motions and a proposed timeframe for their resolution.

The Court directs that all future motions for pro hac vice be filed only in the underlying cases and not in the MDL.

The Court sets the Case Management schedule. Case Management Conferences will generally occur on the third Friday of every month at 1:00 p.m. Case Management Statements that describe the progress of the litigation, identify issues that should be brought to the Court's attention, and propose an agenda for the conference, should be filed two days prior to the conference.

Further Case Management Conferences for 2020:

February 14, 2020

March 20, 2020

April 17, 2020

May 15, 2020

June 19, 2020

July 17, 2020

August 21, 2020

September 18, 2020

October 16, 2020

November 20, 2020

December 18, 2020