

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ZOSTAVAX (ZOSTER VACCINE	:	MDL NO. 2848
LIVE) PRODUCTS LIABILITY	:	
LITIGATION	:	
_____	:	
	:	
THIS DOCUMENT RELATES TO:	:	CIVIL ACTION NO. 18-md-2848
ALL CASES	:	
_____	:	_____

PRETRIAL ORDER NO. 361

AND NOW, this 30th day of June, 2021, following a status conference with counsel, it is hereby ORDERED that:

(1) Pretrial Order No. 354 (Doc. # 720) is VACATED.

(2) Plaintiffs shall serve, on or before July 9, 2021, any supplemental reports of experts anticipated to testify in the six Group A Bellwether Trial Pool Cases. Defendants shall serve any supplemental reports on or before July 19, 2021.

(3) The depositions of all experts anticipated to testify in one or more of the six Group A Bellwether Trial Pool Cases shall be completed on or before September 3, 2021.

(4) All motions to exclude the testimony of expert witnesses and all additional motions for summary judgment shall be filed on or before September 17, 2021. All responses to these motions shall be filed on or before October 4, 2021. All reply briefs in support of the motions shall be filed on or before October 20, 2021. The court may thereafter schedule argument.

(5) Trial of the first Group A Bellwether Trial Pool Case shall commence on Tuesday, January 18, 2022.

(6) All parties shall prepare and file with the Clerk of Court their Pretrial Memoranda in accordance with this Order and Local Rule of Civil Procedure 16.1(c), proposed points for charge, any proposed special jury interrogatories, and any motions in limine as follows:

(a) Plaintiffs - on or before December 30, 2021;

and

(b) Defendants - on or before January 7, 2022.

(7) Each point for charge or proposed jury interrogatory shall be numbered and shall be on a separate sheet of paper identifying the name of the requesting party. Supplemental points for charge will be permitted during and at the conclusion of the trial. Points for charge should be accompanied by appropriate citations of legal authority.

(8) If a party uses any version of the Microsoft Word word processing system, it is urged to provide the Court with a thumb drive containing the proposed points for charge and proposed special jury interrogatories.

(9) The court will discuss with counsel at a later date the deadlines for the selection of the Group A Bellwether Cases for trial.

BY THE COURT:

/s/ Harvey Bartle III

J.