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[Submitting Counsel on Signature Page]

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

**~~PROPOSED~~ ORDER REGARDING
AMENDED CASE/TRIAL SCHEDULE**

This Document Relates to:

ALL ACTIONS

1 Pursuant to the July 12, 2021 Notice of a Joint Stipulation Regarding An Amended Case
 2 Schedule (ECF No. 2092), and the July 16, 2021 Civil Minutes following the Case Management
 3 Conference. (ECF No. 2111), **AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED:**

4 The Case/Trial Schedule is hereby amended as follows:


5	Event	Current Date	Proposed New Date
6	ALL: Deadline to complete fact discovery	July 30, 2021	August 30, 2021
7	EL: Defendants file opposition to motion for class certification	July 28, 2021	August 27, 2021
8	Defendants serve class certification response		
9	expert reports		
10	Defendants file <i>Daubert</i> motions as to Plaintiffs' class cert experts		
11	PI: End of Supp. Discovery of first 2 BW trial picks	August 10, 2021	September 10, 2021
12	ALL: Exchange of Generic Expert Reports	Aug. 16, 2021	September 17, 2021
13	PI: Case specific expert reports for first 2 BW trial cases exchanged	Aug. 16, 2021	September 22, 2021
14	EL: Plaintiffs file Reply in support of motion for class cert	August 25, 2021	October 8, 2021
15	Plaintiffs serve class cert rebuttal expert reports		
16	Plaintiffs file <i>Daubert</i> motions for Defendants' class certification experts		
17	Plaintiffs file oppositions to Defendants' <i>Daubert</i> motions		
18	GE: TUSD, Goddard, Palm Beach: Deadline to complete fact discovery	n/a	October 15, 2021
19	EL: Defendants file opposition to Plaintiffs' <i>Daubert</i> motions	September 8, 2021	October 22, 2021
20	Defendants file replies in support of Defendants' <i>Daubert</i> motions		
21	PI: Exchange of Case-Specific Rebuttal reports in first 2 PI BWs	Sept. 15, 2021	October 22, 2021
22	PI: End of Supp. Discovery of second 2 BW trial picks		October 25, 2021
23	EL: Plaintiffs file replies in support of Plaintiffs' <i>Daubert</i> motions	September 15, 2021	October 29, 2021
24	ALL: Exchange of Rebuttal Generic Expert Reports	Sept. 15, 2021	November 1, 2021
25	EL: Hearing on Class Certification motion and class certification <i>Daubert</i> motions	September 24, 2021 (or as soon thereafter as convenient for the court)	November 5, 2021 (or as soon thereafter as convenient for the court)
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Event	Current Date	Proposed New Date
<u>PI</u> : Case specific expert reports for second 2 BW trial cases exchanged		November 6, 2021
<u>GE</u> : Case specific expert reports for BW cases exchanged	August 16, 2021	November 16, 2021
Exchange of class action case-specific expert reports	40 days after ruling on class certification	TBD
Exchange of class action case-specific expert rebuttal reports	30 days after opening reports	TBD
Plaintiff complete class notice to any certified class	90 days after ruling on class certification	90 days after ruling on class certification
Close of class action case-specific expert discovery	30 days after rebuttal reports	TBD
Opt out deadline for any certified class	21 days after class notice completed	21 days after class notice completed
Close of <u>Generic</u> and Case Specific <u>PI</u> expert Discovery	Oct. 15, 2021	November. 24, 2021
<u>PI</u> : Exchange of Case-Specific Rebuttal reports in second 2 PI BWs		December 6, 2021
<u>PI</u> : MSJ and <i>Daubert</i> Motions ¹	Oct. 26, 2021	December 15, 2021
<u>GE</u> : Exchange of Case-Specific Rebuttal reports in GE BWs	Sept. 15, 2021	December 31, 2021
<u>PI</u> MSJ and <i>Daubert</i> Oppositions	Nov. 23, 2021	January 21, 2022
<u>GE</u> : Close of Case Specific Expert Discovery	Oct. 15, 2021	January 28, 2022
<u>PI</u> : MSJ and <i>Daubert</i> Replies	Dec. 6, 2021	February 4, 2022
<u>PI</u> : Oral Argument re MSJ + <i>Daubert</i>	To be set by the Court	
<u>EL</u> : Class case MSJ Motions <i>Daubert</i> motions for class action case-specific experts	30 days after close of class case specific expert discovery	TBD
<u>EL</u> : Class case MSJ Oppositions <i>Daubert</i> Oppositions for class action case-specific experts	30 days after opening briefs filed	TBD
<u>EL</u> : Class case MSJ Replies <i>Daubert</i> replies for class action case-specific experts	21 days after oppositions filed	TBD
<u>EL</u> : Hearing on class case MSJ and <i>Daubert</i> motions	21 days after replies filed or at a time to be determined by the Court	TBD

¹ The parties anticipate that the Court's rulings on these motions may apply to and/or inform issues bearing on all case types, and so to the extent practicable, briefing will encompass the common issues that cut across the various case types.

Event	Current Date	Proposed New Date
<u>PI</u> : Exchange of Civil Local Rule 16-10(b)(7), (8), (9) and (1) Materials	Dec. 21, 2021	February 4, 2022
<u>PI</u> : Pretrial Conf. Stmt, Jury Instructions, Exhibit List and Objs., Dep. Designations & Objs., and Mots. <i>in limine</i>	Jan. 21, 2021	Opening: Feb. 14, 2022 Opp. Feb. 28, 2022 Reply: Mar. 10, 2022
<u>GE</u> : MSJ and <i>Daubert</i> Motions	Oct. 26, 2021	February 11, 2022
<u>GE</u> : MSJ and <i>Daubert</i> Opposition	Nov. 23, 2021	March 14, 2022
<u>PI</u> : Pre-trial Conference for Trial 1	Jan. 31, 2021	March 28, 2022
<u>GE</u> : MSJ Replies	Dec. 6, 2021	March 28, 2022
<u>GE</u> : Oral Argument re MSJ + <i>Daubert</i>	To be set by the Court	
<u>PI</u> : Juror Questionnaires for Trial 1 Available for Review		April 13, 2022
<u>PI</u> : Jury Selection for Trial 1		April 15, 2022
<u>GE/EL</u> : Exchange of Civil Local Rule 16-10(b)(7), (8), (9) and (1) Materials	December 21, 2021	April 15, 2022
<u>PI</u> : First Bellwether Trial Begins	Feb. 22, 2022	April 18, 2022
<u>GE/EL</u> : Pretrial Conf. Stmt, Jury Instructions, Exhibit List and Objs., Dep. Designations & Objs., and Mots. <i>in limine</i>	January 21, 2021	May 2, 2022
<u>GE/EL</u> : Pre-trial Conference	January 31, 2021	May 13, 2002
<u>Trial 2</u> : Pre-Trial Conference	March 28, 2022	June 6, 2022
<u>Trial 2</u> : Jury Selection		June 24, 2022
<u>Trial 2</u> : Trial Begins		June 27, 2022
<u>Trial 3</u> : Jury Selection	May 9, 2022	September 9, 2022
<u>Trial 3</u> : Trial Begins		September 12, 2022
<u>Trial 4</u> : Jury Selection	June 20, 2022	November 4, 2022
<u>Trial 4</u> : Trial Begins	August 1, 2022	November 7, 2022]

Date: July 23, 2021


 HONORABLE WILLIAM H. ORRICK
 United States District Judge