

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**IN RE: ZANTAC (RANITIDINE)
PRODUCTS LIABILITY
LITIGATION**

**MDL NO. 2924
20-MD-2924**

**JUDGE ROBIN L. ROSENBERG
MAGISTRATE JUDGE BRUCE E. REINHART**

ORDER REGARDING OCTOBER 4, 2021 HEARING ON MOTIONS TO DISMISS

The Court previously informed the parties that it will hold a hearing on the Motions to Dismiss filed at docket entries 4106 and 4107 on October 4, 2021, beginning at 11:00 a.m. EST. All counsel arguing the motions should be available beginning at 11:00 a.m.

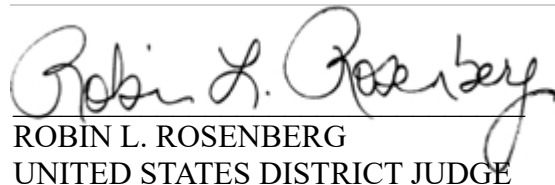
The hearings will be conducted by Zoom teleconference. No counsel is permitted to appear in person. Any plaintiffs' counsel seeking to attend shall contact plaintiffs' liaison Frank Maderal. Any defense counsel seeking to attend shall contact defense liaison Joanne O'Connor. Counsel who have not yet made an appearance and do not want to identify their clients or potential clients to the liaisons, and any individuals not affiliated with a party to the litigation, may instead contact Special Master Jaime Dodge, Director of the Emory Institute for Complex Litigation, to be added to the attendee list. In advance of the hearings, liaison counsel and the Special Master will provide the log-in credentials and instructions to all attendees. Only those who have been given advance notice of their desire to attend will be admitted to the hearings absent special circumstances.

The Court will first hear arguments on the motion filed at docket entry 4106 (Defendants' Motion to Dismiss Amended Consolidated Medical Monitoring Class Action Complaint), followed by arguments on the motion filed at docket entry 4107 (The Brand OTC Defendants' Rule 12 Partial Motion to Dismiss Plaintiffs' Second Amended Economic Loss Class Complaint

as Preempted by Federal Law). For each motion, the Court allots fifteen (15) minutes to each side to make arguments. Following the parties' arguments, the Court may direct questions to counsel. Argument from the parties must be limited to the arguments in the parties' briefing; the hearing is not an opportunity for the parties to raise new arguments for the first time. *E.g., APA Excelsior III L.P. v. Premiere Techs., Inc.*, 476 F.3d 1261, 1269 (11th Cir. 2007) (refusing to consider claims not raised in a party's briefing and made for the first time at oral argument).

The Court has a strong commitment to supporting the development of our next generation of lawyers. The Court is therefore supportive of parties and senior attorneys allowing less-experienced practitioners the opportunity to argue before the Court. A lesser-experienced practitioner arguing will not preclude a more senior attorney arguing on the same issue or motion. In addition, the Court will allow for a limited amount of additional time for presentation on the motion being argued if a member of the Leadership Development Committee or other lesser-experienced practitioner participates in the presentation on the motion. The parties shall email a list of the presenters for the hearing to the Zantac email address, zantac_md1@flsd.uscourts.gov, by no later than October 1, 2021, at 12:00 p.m. EST.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 27th day of September, 2021.



ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE