

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE: ELMIRON (PENTOSAN POLYSULFATE SODIUM) PRODUCTS LIABILITY LITIGATION	:	
	:	
	:	Case No. 2:20-md-02973 (BRM)(ESK)
	:	MDL NO. 2973
	:	
	:	
THIS DOCUMENT RELATES TO:	:	JUDGE BRIAN R. MARTINOTTI
ALL CASES	:	JUDGE EDWARD S. KIEL
	:	

Hearing Order

A telephonic conference was held on May 31, 2022 to discuss the status of Bellwether discovery and trials. It is now HEREBY ORDERED:

1. The Court has reviewed the defense selected case of *Opal Broussard v. Janssen Pharmaceuticals, Inc, et al*, 21-cv-02028, and the Court has decided to strike it from the Bellwether Trial Pool.
2. The Court will permit Defendants to designate and select a replacement Bellwether trial case from the remaining pool of Bellwether discovery cases as selected under CMO 17. Defendants shall make this selection on or before June 10, 2022.
3. The case of *Maria Windham v. Janssen Pharmaceuticals, Inc, et al*, 20-cv-14670, shall be the Court's presumptive first Bellwether trial case in accordance with CMO 17 and CMO 17-Amended. The Court recognizes that the *Windham* case, which the Court selected to proceed to trial, was a defense-selected Bellwether discovery case. The deadlines and schedule set forth in CMO 17-Amended remain applicable to the *Windham* case only.
4. The Plaintiffs' selected Bellwether case (*Julia Manning, et al. v. Janssen Pharmaceuticals, Inc, et al*, 21-cv-11942) and the case to be selected by Defendants on or before June 10, 2022, shall be the second and/or third Bellwether trial cases and they will proceed along the same schedule leading up to trial. The parties shall meet-and-confer regarding a Scheduling Order for these two Bellwether trial cases and present the proposed Scheduling Order to the Court in advance of the Case Management Conference set for June 8, 2022.

IT IS SO ORDERED, this 1st day of June 2022.

/s/Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE