

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

In re: PARAQUAT PRODUCTS
LIABILITY LITIGATION

Case No. 3:21-md-3004-NJR

MDL No. 3004

This Document Relates to All Cases

**ORDER SELECTING ADDITIONAL
CASES FOR LIMITED DISCOVERY**

ROSENSTENGEL, Chief Judge:

On June 8, 2021, this federal multidistrict litigation was formed to consolidate for pretrial purposes all federal cases alleging that Paraquat products designed, manufactured, and distributed by Defendants caused Plaintiffs to develop Parkinson's disease. (Doc. 1). As the date of this Order, the MDL consists of approximately 1,784 member cases.

Following the completion of limited fact discovery in 16 of those cases, the Court selected six cases for further case-specific discovery. (Doc. 1317). The Court intends to pick the first trial cases from that list of six. As the number of case filings steadily increases, however, the Court believes that additional depositions will assist the Court in gathering more information on Plaintiffs and their claims. Specifically, additional depositions will provide representative data about Plaintiffs, determine whether Plaintiffs' claims are plausible and substantiated, and expose non-meritorious claims. The Court also finds that obtaining more information on the claimants in this MDL will assist the undersigned in facilitating the expeditious, economical, and just resolution of this

litigation, which has been this Court's goal since the MDL's inception. (*See* Doc. 16). Finally, deposing additional Plaintiffs will advance more cases in the event any of the cases already selected for limited or case-specific discovery should, for any reason, lose viability as trial picks.

Accordingly, the Court selects the following cases for limited discovery, defined as the completion of a Fact Sheet and Plaintiff's deposition.

Plaintiff	Case Number
Boldt, Greg	21-pq-579-NJR
Bowers, Laura	21-pq-1568-NJR
Catton, James	21-pq-1732-NJR
Dachsteiner, Ronald	22-pq-1551-NJR
Dall, Joann	21-pq-1384-NJR
Dillow, Tamala	21-pq-1613-NJR
Durbin, Stephen	21-pq-551-NJR
Feith, Martin	21-pq-1158-NJR
Fodness, Mark	21-pq-1524-NJR
Frank, David	21-pq-744-NJR
Hawkins, Diane	21-pq-635-NJR
Hitchcock, James	22-pq-57-NJR
Kirchoff, William	21-pq-1052-NJR
Kistner, Janet	21-pq-1678-NJR
Kowalczyk, Daniel	22-pq-118-NJR
Muentnich, George	21-pq-1239-NJR
Smith, Dale	21-pq-627-NJR
Spence, Eddie	22-pq-351-NJR
Walter, Ralph	22-pq-1003-NJR
Zumdahl, Linda	22-pq-76-NJR

Plaintiffs are **ORDERED** to complete a Plaintiff Fact Sheet (PFS) on each of these individuals within **14 days** of this Order. Plaintiffs' depositions shall be completed within **60 days** of this Order. Further discovery may be permitted upon agreement of the parties or with leave of Court.

The parties shall provide a joint, two-page report summarizing each Plaintiff's testimony to the Court (by email to ParaquatMDL@ilsd.uscourts.gov) and to the Special Master (by email to randi@randiellis.com) within **14 days** of each deposition. The report shall include: (1) the individual's age; (2) details regarding exposure, including dates, frequency, type, use of PPE, and consideration of warning labels; (3) date of and details regarding Parkinson's diagnosis; (4) description of current Parkinson's symptoms and other health concerns, if any; (5) family history of Parkinson's, if any; and (6) any other information relevant to the individual's claim. To the extent counsel is unable to agree on a summary of the testimony, counsel shall state their respective positions separately within the same document and attach a copy of the complete deposition transcript.

Finally, every lawyer in this MDL who represents a plaintiff is reminded that the PFS, just as the Plaintiff Assessment Questionnaire (PAQ), is signed under penalty of perjury. The Court takes these attestations seriously.

IT IS SO ORDERED.

DATED: August 17, 2022

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive style and is positioned above a horizontal line. To the right of the signature, there is a circular seal of the United States District Court for the District of Maryland, featuring an eagle and the text "U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND".

NANCY J. ROSENSTENGEL
Chief U.S. District Judge