

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-
FORMING FOAMS PRODUCTS
LIABILITY LITIGATION**

MDL No. 2:18-mn-2873-RMG

This Document Relates to All Actions

**Order Designating First Bellwether Water Provider Trial and
Regarding Submissions to the Court**

On September 23, 2022, the Court held a status conference during which it made various rulings which it formalizes in this Order.

1. After careful review of the parties' respective briefing, (Dkt. Nos. 2591 and 2592), the Court designates *City of Stuart v. 3M Company, et al.*, No. 2:18-cv-3487-RMG, for the first bellwether trial.
2. The trial will commence on Monday, June 5, 2023.
3. The parties are directed to meet and confer on a proposed pretrial order that provides for the completion of the briefing of all *Daubert* and dispositive motions on or before February 3, 2023. If the parties cannot reach common agreement on a pretrial order, they may submit separate proposals along with a letter brief explaining their proposed order and why the opposing parties' pretrial order is not acceptable. The parties shall submit their joint or separate pretrial schedules on or before October 14, 2022.
4. Within 10 days of this order, Defendants are directed to provide letter briefing to the Court regarding pages limits for *Daubert* briefing in *City of Stuart*. No later than 10 days thereafter, Plaintiffs are directed to file any response to said briefing.

5. Prior to the next monthly status conference in this case—scheduled for October 21, 2022—the parties are directed to meet and confer and include within the October Joint Status Report either a joint or their respective proposals for bellwether discovery as it regards the following five *Leach* claims: (1) kidney cancer; (2) testicular cancer; (3) ulcerative colitis; (4) thyroid disease; and (5) pregnancy-induced hypertension.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

September 23, 2022
Charleston, South Carolina