

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	22md3043 (DLC)
:	22mc3043 (DLC)
IN RE: Acetaminophen - ASD-ADHD :	
Products Liability Litigation :	<u>ORDER: PLAINTIFFS'</u>
:	<u>LEADERSHIP</u>
-----X	<u>STRUCTURE</u>

DENISE COTE, District Judge:

Having considered plaintiffs' November 2, 2022 joint submission on a proposed leadership structure for this litigation, it is hereby

ORDERED:

I. PLAINTIFFS' LEADERSHIP STRUCTURE

1. The plaintiffs' proposed leadership structure is adopted. The plaintiffs' leadership structure will include Lead Counsel, Liaison Counsel, a Plaintiffs' Executive Committee ("PEC"), and a Plaintiffs' Steering Committee ("PSC"). There will also be five sub-committees: Early Vetting/Bellwether Selection Committee; Science and Experts Committee; Discovery/ESI Committee; Law & Briefing Committee; and Settlement/Lien Resolution Committee. Each sub-committee will have a Chair.

2. Lead Counsel is charged with acting for all plaintiffs -- either personally or by coordinating the efforts of others -- in presenting written and oral arguments and suggestions to the Court, working with opposing counsel in developing and

implementing a litigation plan, initiating and organizing discovery requests, responses, and depositions, employing experts, arranging for support services, and ensuring that schedules are met.

3. Liaison Counsel will assist in the administration of the litigation, such as communications between the Court and other counsel (including receiving and distributing notices, orders, motions, and briefs on behalf of the group), convening meetings of counsel, advising parties of developments, and otherwise assisting in the coordination of activities. Liaison Counsel shall have offices in the Southern District of New York.

4. The PEC will consist of Lead Counsel, Liaison Counsel, and the Chairs of each sub-committee and will work closely with Lead Counsel to manage the litigation. The PSC will consist of ten attorneys. Each PSC member will serve on at least one sub-committee.

II. METHOD AND SCHEDULE FOR APPOINTMENTS

5. There will be an open application process for appointments to leadership positions. Any attorney who has filed an action in this litigation may apply to be considered for the position of Lead Counsel, Liaison Counsel, Chair of a sub-committee, or member of the PSC.

6. Applications for appointment will be due **November 14, 2022**, with any objections to those applications due **November 16,**

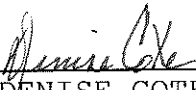
2022 at 12:00 P.M. The applications and any objections shall be filed solely in 22md3043. Applicants will be heard at the November 17 conference for five minutes or less. Any applicant wishing to be heard at the conference shall indicate so in the application.

7. All applicants for appointment shall file a letter not to exceed three pages detailing their qualifications and commitment to serve. In reviewing applications, the following criteria will be considered, among others: (1) knowledge and experience in prosecuting complex litigation, including MDLs, mass tort litigation, and pharmaceutical litigation, (2) willingness and ability to commit to a time-consuming process, (3) willingness and ability to work cooperatively with others, (4) access to resources to prosecute the litigation in a timely manner, (5) the work counsel has done in identifying, investigating or prosecuting potential claims in this litigation, (6) knowledge of applicable law, (7) geographic and other relevant diversity, and (8) the expected compensation structure sought by counsel. Applicants shall address those criteria and any other considerations that they believe qualify them for a leadership position in their application letters.

8. Any objection to an applicant shall be filed as a letter no longer than three pages and may be supported by documentation.

9. Also, by **November 14, 2022**, proposed co-lead counsel, Mikal Watts, Ashley Keller, and Mark Lanier, shall submit a joint letter no longer than five pages addressing how their appointment or the appointment of others identified in their November 2, 2022 letter advances geographic and any other relevant diversity.

Dated: New York, New York
November 3, 2022



DENISE COTE
United States District Judge