

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: DEPO-PROVERA (DEPOT
MEDROXYPROGESTERONE
ACETATE) PRODUCTS LIABILITY
LITIGATION

Case No. 3:25-md-3140

This Document Relates to:
All Cases

Judge M. Casey Rodgers
Magistrate Judge Hope T. Cannon

PRETRIAL ORDER NO. 5

The Court will accept individual applications for Plaintiffs' leadership positions. Any attorney who has filed a case in this MDL, or who is attorney of record in a case that has been or will be removed or transferred to this MDL, may apply for a leadership position. An application form is attached to this Order. Applications are due by **12:00 p.m. CT on March 7, 2025**. Applications should be emailed to Courtroom Deputy Barbara Rogers at Barbara_Rogers@flnd.uscourts.gov. Given the sensitive nature of the information on the applications, these materials will be reviewed *in camera* and kept confidential.

As indicated on the application form, applicants will be considered and leadership counsel selected based on the following criteria: MDL experience,¹ mass

¹ While prior MDL-specific experience is a consideration, it is not the only one—indeed, the Court seeks to provide opportunities for those with less leadership experience in certain positions.

tort experience, trial experience, settlement experience, and issue-specific experience. Other considerations include the ability to make the necessary time and financial commitments to effectively serve as leadership. The Court will consider any further relevant information an Applicant wishes to disclose. Ultimately, the Court will appoint a leadership team with members whose talents, experience, and knowledge make them uniquely situated to effectively, fairly, and efficiently represent the interests of the Plaintiffs as a whole throughout the litigation.²

After an initial review of the submissions, some number of Applicants will be invited to make an oral presentation on their qualifications for the position(s) they are seeking and to answer questions about the skills and experience they would bring to the litigation. Presentations will be scheduled for March 13, and, if necessary, March 14, 2025.

The Court hereby appoints Christopher A. Seeger, Seeger Weiss LLP, to serve as *Interim* Lead and Liaison counsel for the Plaintiffs. Mr. Seeger is well-qualified to carry out the responsibilities of these positions on an interim basis, given his

² Courts “should consider the benefits of geographical distribution as well as differing experiences, skills, knowledge, and backgrounds,” and historically “have considered the nature of the actions and parties, the needs of the litigation, and each lawyer’s qualifications, expertise, and access to resources.” Committee Note to Proposed Fed. R. Civ. P. 16.1(b)(2)(A) (“The transferee judge is responsible to ensure that the lawyers appointed to leadership positions are able to do the work and will responsibly and fairly discharge their leadership obligations.”).

extensive experience in complex litigation, including a leadership role in a prior MDL before this Court.

SO ORDERED this 28th day of February, 2025.

M. Casey Rodgers

M. CASEY RODGERS

UNITED STATES DISTRICT JUDGE

**IN RE: DEPO-PROVERA (DEPOT MEDROXYPROGESTERONE
ACETATE) PRODUCTS LIABILITY LITIGATION**

Case No. 3:25-md-3140-MCR-HTC
Application for Plaintiff Leadership Position

A. Applicant Information

Please provide your name, law firm, law firm address, years of practice, and a list of cases in which you are attorney of record in this MDL and/or cases that have been or will be removed or transferred to this MDL.

B. Position(s) Sought

Please identify the position(s) and/or committee(s) for which you would like to be considered. The Court is considering structuring leadership positions and committees that could include, but are not limited to, the following:

- Lead Counsel
- Liaison Counsel
- Federal/State Liaison Counsel
- Executive Committee
- Steering Committee
 - ESI Subcommittee
 - Science & Expert Subcommittee
 - Law and Briefing Subcommittee
 - Class Action Subcommittee
- Settlement Counsel
- Common Benefit Committee

C. MDL Experience

Please describe your MDL experience, including: (1) all MDLs in which you or your law firm represented clients in the past five years; (2) the subject matter and current status of those MDLs; (3) any MDL leadership roles held by you or

members of your firm (*e.g.*, lead or liaison counsel; service on plaintiff committees or subcommittees); and (4) any “unofficial” roles you have played in an MDL.

D. Mass Tort Experience

Please describe your professional experience in complex litigation and, in particular, your experience with mass tort litigation. This response should approximate the number and nature of depositions you have taken and/or defended (*e.g.*, treating physicians, defense experts, corporate representatives), as well as highlight your experience with federal practice and procedure, handling electronic discovery and voluminous document productions, briefing and presenting oral arguments on multifaceted legal and factual issues, and managing the various stages of complex litigation.

E. Trial Experience

Please summarize your trial experience. Your response should specify the number, length and dates of any jury trials, the nature of those cases, the subject matter of any expert witness testimony you have presented, and any unique litigation issues in which you were involved.

F. Settlement Experience

Please summarize your settlement experience in the area of complex litigation. Your response should specify the nature of the litigation, the length of time that the cases were pending before settlement, your level of involvement in the settlement process, the number of involved parties, the year of any settlement, and the jurisdiction. Please also describe any specialized education, training, or certifications you have obtained in alternative dispute resolution and indicate whether you have any personal experience working with a settlement master (regardless of the outcome).

G. Issue-Specific Experience

Please describe any education, training, or experience you have involving any specialized field relevant to this MDL.

H. Other Commitments

Please address your willingness and ability to immediately commit to time-consuming litigation. Your response should specifically address any additional commitments that may interfere with your ability to commit the time necessary to effectively and efficiently serve on leadership for this MDL.

I. Financial Disclosure

Please explain your plan to finance this litigation and disclose all financial arrangements that you have made, or anticipate making, to fund your firm's financial contributions (*e.g.*, arrangements between plaintiffs' attorneys, banks, vendors, or third-party financiers). Please understand that the Court expects to make this kind of financial disclosure a continuing obligation throughout the litigation for counsel.

J. Additional Information

1. Please provide the names of any judges or special masters who are familiar with your work.
2. Is there anyone, other than yourself, that you feel would be especially effective in a particular leadership role? If so, please explain.
3. Is there anyone whom you would object to serving in a leadership role? If so, please explain.
4. Please provide any additional information about your professional background you would like the Court to consider.
5. Is there any other additional information you wish to disclose to the Court?