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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 IN RE: Bard Implanted Port Catheter
10 Products Liability Litigation

MDL No. 3081

11 **CASE MANAGEMENT ORDER NO. 34**
12 **(Sixteenth Case Management Conference)**
13 **(Applies to All Actions)**
14

15 The Court held a Sixteenth Case Management Conference with the parties on
16 May 1, 2025. *See* Doc. 3415. This order reflects matters discussed and decided during the
17 conference.

18 1. The Court will hold a Seventeenth Case Management Conference on **June 3,**
19 **2025 at 2:00 p.m.** Arizona time. The conference will be held by Zoom. By close of
20 business on **May 30, 2025**, the parties shall file a joint memorandum.

21 2. As noted in the parties' joint memorandum (Doc. 3292 at 4-5), the motion to
22 quash subpoena and the motion to transfer in the Dow case remain pending in the Eastern
23 District of Michigan (Case No. 1:25-mc-50209-TLL-PTL). If the case is not transferred to
24 this Court within the next two weeks, the Court will rule on the motion to quash in the
25 DuPont case separately.

26 3. As soon as reasonably possible, Defendants shall file a motion for attorneys'
27 fees regarding the seven Plaintiffs who failed to comply with Second Amended CMO 8
28 but responded to the Court's Order to Show Cause:

- Cynthia Chasse, 24-cv-02948
- Rebekah Crochet, 24-cv-01077
- Christy Hough-Edwards, 24-cv-02482
- Ashley Long, 24-cv-02940
- Dionne Mayo, 24-cv-02048
- Robert Pruitt, 24-cv-02939
- Loretta Sanchez, 24-cv-02516

See Docs. 2922, 2974-80, 3162, 3292 at 18. Counsel who represent these individual Plaintiffs shall file a response to the motion within **14 days** of the motion's filing, and Defendants shall file a reply within **7 days** of the responses.

4. The Court will issue an order compelling three Plaintiffs to produce copies of their medical records requests and the responses from the facilities by **May 16, 2025**: Cynthia Chasse, 24-cv-02948; Christy Hough-Edwards, 24-cv-02482; and Dionne Mayo, 24-cv-02048. *See Docs. 3162, 3292 at 18.*

5. The Court will issue an order compelling two Plaintiffs to fully comply with Second Amended CMO 8 by **May 16, 2025**: Patricia Brown-Jones, 24-cv-01891; and Loretta Colley, 24-cv-01504. *See Doc. 3292 at 21.*

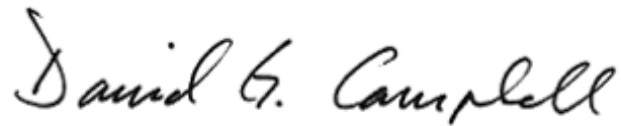
6. By **June 2, 2025**, Defendants shall provide complaint files for the following 17 cases (*see id.* at 22-23):

- Myron Davis, 24-cv-03347
- Tracy Echevarria, 24-cv-03361
- Waverly Epes, 24-cv-03128
- Lawana Epps, 24-cv-03499
- Evelyn Foster, 24-cv-03236
- Mary Gonzalez, 24-cv-03193
- Patricia Hook, 24-cv-03128
- Samantha Kelly, 24-cv-03122
- Cheryl Lachapelle, 24-cv-03169

- Janet McKay, 24-cv-03360
- Lillian Minor, 24-cv-03281
- Sharon Pearson, 24-cv-03274
- William Phillips, 24-cv-03446
- Tina Rider, 24-cv-03199
- Jonathan Rodriguez, 24-cv-02621
- Kimberly Selvey, 24-cv-03351
- Shane Swartz, 24-cv-03270

7. The Court reviewed the parties' memoranda on cases to be selected for the six bellwether trials (Docs. 3293, 3294) and has tentatively concluded that the cases should, if possible, include: (a) three infection cases, two thrombosis cases, and one fracture case; (b) four polyurethane cases, one Groshong case, and one silicone case; and (c) one surgery case. With this tentative guidance in mind, the parties shall meet and attempt to reach agreement on the six bellwether cases, and one alternate case, and file their respective response memoranda by **May 7, 2025**.

Dated this 2nd day of May, 2025.



David G. Campbell
Senior United States District Judge