

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**IN RE: JOHNSON & JOHNSON TALCUM
POWDER PRODUCTS MARKETING,
SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

MDL No.: 16-2738(MAS)(RLS)

AFFIDAVIT

AFFIDAVIT OF FREDA L. WOLFSON PURSUANT TO FED. R. CIV. P. 53

I, Freda L. Wolfson, hereby declare and state as follows:

1. I am an attorney of the State of New Jersey, and a Partner at Lowenstein Sandler LLP (“Lowenstein Firm”) since February 1, 2023. I was the former Chief Judge of the United States District Court for the District of New Jersey, having retired on January 31, 2023.
2. I respectfully submit this Affidavit in support of my pending appointment as Special Master in the above-captioned Multidistrict Litigation (the “Talc MDL”), pursuant to Fed. R. Civ. P. 53.
3. In early June 2025, Hon. Michael A. Shipp, U.S.D.J., who presides over Talc MDL, informed me that the Court was considering appointing me to serve as a Special Master to assist the Court in resolving Fed. R. Civ. P. 702 *Daubert*-related Motions filed by the parties in the Talc MDL.
4. I am intimately familiar with the Talc MDL, because I was the former District Judge who presided over this matter prior to my retirement from the District of New Jersey.
5. I reviewed the current pleadings and the Court’s docket, as well as checked the Lowenstein Firm’s conflict system to determine whether there was any conflict that would require disclosure to the Court and the parties, or that would otherwise preclude me from serving as a Special Master under 28 U.S.C. § 455.

6. The Lowenstein Firm's sophisticated conflicts system confirms that the Firm does not represent any of the named parties in the Talc MDL, nor have I ever personally represented any of the named parties in the Talc MDL. In fact, the majority of my matters at the Lowenstein Firm involve my service as a neutral, such as a mediator, special master, or adjudicator, or mock judge.
7. As a disclosure, as the parties are well aware, the Lowenstein Firm represents Johnson & Johnson on corporate-related matters that are wholly unrelated to the Talc MDL. I have had no involvement with any of those matters since joining the Firm. This fact does not present as a conflict under 28 U.S.C. § 455.
8. Counsel for the parties are aware that I served as a mock judge for a matter involving Kenvue, an affiliate of Johnson & Johnson, in an unrelated matter, and that engagement concluded in 2023.
9. Moreover, since late December 2023, pursuant to a court appointment, I have been serving as a Special Master in *Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC, et al.*, Civil Action No. 22-2632 (CCC)(CLW), in which the plaintiff is an entity affiliated with Johnson & Johnson. To avoid any potential conflict, an ethical wall has been in place between myself and all matters involving Johnson & Johnson at the Lowenstein Firm.
10. Finally, as the parties are aware, a former bankruptcy partner at the Lowenstein Firm previously represented LTL Management, LLC in a local counsel capacity in its bankruptcy proceedings before the United States Bankruptcy Court for the District of New Jersey. I had no involvement in that matter. While the bankruptcy proceeding was related to the Talc MDL, it has long since concluded, and the issues involved are wholly unrelated to the *Daubert* motions for which I am currently under consideration to review. In short,

because the former partner is no longer with the Lowenstein Firm and the bankruptcy matter has been closed, I do not believe this past representation presents a conflict under 28 U.S.C. § 455. Indeed, both parties have so indicated in their respective letters to the Court. *See* ECF Nos. 39392 and 39399.

11. I am confident that none of these relationships/past roles would preclude me from being impartial or unbiased as the Special Master in the Talc MDL.

Dated: June 24, 2025

/s/ Freda L. Wolfson
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