

**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

**JOINT MOTION FOR ENTRY OF PROPOSED CASE MANAGEMENT ORDER 33A**

The Defense Leadership and Plaintiffs’ Executive Committee (“PEC”) jointly move this Court to enter Proposed Case Management Order (“CMO”) No. 33A, which amends and extends the schedule for the disclosure of expert witnesses, expert discovery and *Daubert* challenges related to thyroid cancer and liver cancer.

On March 26, 2025 this Court issued Case Management Order 33 (ECF No. 6863) a setting a schedule for the disclosure of expert witnesses, expert discovery and Daubert challenges related to thyroid cancer and liver cancer. That schedule called for expert reports to be exchanged beginning on July 11, 2025. Also pursuant to CMO 33, on June 20, 2025 the Court held a Science Day related to these injuries at which the parties presented expert witnesses to address the Court.

The Parties have conferred and agree an extension of the current schedule for expert discovery related to these injuries is appropriate. The Parties’ respective experts would benefit from additional time to prepare expert reports. Such time would in particular allow the experts to address the specific questions and issues raised by the Court. Accordingly, the Parties jointly seek an extension of each deadline in CMO 33 by approximately four weeks, as laid out more specifically in the attached Proposed CMO 33A.

WHEREFORE, the Parties respectfully request that the Court enter proposed Case Management Order 33A, attached as Exhibit A.

Respectfully submitted,

Dated: July 7, 2025

/s/ Fred Thompson

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2025, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

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**CASE MANAGEMENT  
ORDER NO. 33A**

### This Order Relates to All Cases

**CASE MANAGEMENT ORDER NO 33A  
(AMENDING THE DEADLINES FOR DISCLOSURE OF EXPERT WITNESSES,  
EXPERT DISCOVERY AND DAUBERT CHALLENGES FOR THYROID AND  
LIVER CANCER)**

On March 26, 2025 this Court issued Case Management Order 33 (ECF No. 6863) a setting a schedule for the disclosure of expert witnesses, expert discovery and *Daubert* challenges related to thyroid cancer and liver cancer. On June 20, 2025 the Court held a Science Day related to these injuries at which the parties presented expert witnesses to address the Court.

The Court now amends and extends the schedule for the disclosure of expert witnesses, expert discovery and *Daubert* challenges related to thyroid cancer and liver cancer as follows:

- Plaintiffs' general causation expert reports shall be due August 8, 2025. Plaintiffs shall offer at least 2 dates for depositions for each expert tendering such reports.
- Defendants' general causation expert reports shall be due September 26, 2025. Defendants shall offer at least 2 dates for depositions for each expert tendering any such reports
- Plaintiffs' rebuttal general causation expert reports, if any, shall be due October 10, 2025.

- The Parties intend that the limitations on expert discovery set forth in Rule 26 of the Federal Rules of Civil Procedure, including the provisions of Rule 26(b)(4)(A)-(D) limiting discovery with respect to draft reports, communications with experts, and depositions of consulting experts, shall apply.

By no later than October 17, 2025, Plaintiff and Defense Co-Lead Counsel shall meet and confer regarding a proposed order setting a schedule for expert depositions and Daubert/Rule 702 briefing. Co-Lead Counsel shall submit to the Court by October 24, 2025, an agreed proposed order or, if unable to agree, competing proposed orders.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2025  
Charleston, South Carolina

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Hon. Richard M. Gergel  
United States District Judge