

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**In Re: TAXOTERE (DOCETAXEL)  
PRODUCTS LIABILITY  
LITIGATION**

**MDL NO. 2740  
SECTION “N” (5)**

**THIS DOCUMENT RELATES TO:  
ALL CASES**

**JOINT REPORT NO. 5 OF LIAISON COUNSEL  
(Status Conference, September 8, 2017)**

NOW INTO COURT come Plaintiffs’ Co-Liaison Counsel (“PLC”) and Defendants’ Liaison Counsel (“DLC”), who respectfully submit this Joint Report No. 5 of Liaison Counsel.

**1. REPORT OF CLAIMS AND CASE INVENTORY**

On October 4, 2016, the JPML transferred 28 civil action(s) to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See In re Taxotere (Docetaxel) Prod. Liab. Litig.*, No. MDL 2740, 2016 WL 5845996 (U.S. Jud. Pan. Mult. Lit. Oct. 4, 2016). Since that time, excluding voluntary dismissals, additional actions have been transferred to the Eastern District of Louisiana pursuant to Conditional Transfer Orders of the JPML. As of September 5, 2017, excluding voluntary dismissals, there are 1,652 cases pending in the MDL before the Honorable Kurt D. Engelhardt.

**2. FEDERAL/STATE COORDINATION**

Related state court proceedings have been filed in California, Missouri, and Delaware. Most of these state court proceedings were removed to federal court. Plaintiffs who originally filed complaints in Delaware, Missouri, and California state courts filed motions to remand. On August 30, 2017, the Court granted Plaintiffs’ omnibus Motion to Remand the Delaware state court cases. (Rec. Doc. 784.) With regard to the California state court cases, the Court granted

in part and denied in part Plaintiffs' Motions to Remand, and ordered the Plaintiffs in *Erneys-Kofler, et al. v. Sanofi S.A., et al.*, 2:17-cv-03867-KDE-MBN (E.D. La.) and *McCallister, et al. v. Sanofi S.A., et al.*, 2:17-cv-02356-KDE-MBN (E.D. La.) to file supplemental briefing within 10 days from August 30, 2017, on the Court's authority to sever these multi-Plaintiffs' actions prior to remand. *Id.* On the Missouri state court cases, the parties anticipate filing a formal Motion to Withdraw the Plaintiffs' Remand Motion.

In conjunction with the Orders on the Motions to Remand set forth above and after consultations with the clerks, the parties are jointly preparing a Severance Order.

The parties continue to coordinate and communicate with all counsel and advise them of the status conference call in number (listen only). The parties also continue to make efforts to identify and alert the relevant state court judge(s) of the MDL and the Court's willingness to cooperate with the state court judges for the purposes of coordinating discovery and other pretrial proceedings and to provide the call-in number for the status conferences, should they wish to join.

### 3. **PRETRIAL ORDERS**

A listing of all Pretrial Orders is attached to this Joint Report as Appendix A.

The Court has issued the following important Pretrial Orders since the July 7, 2017

Status Conference:

**Pretrial Order No. 53** (Rec. Doc. 664) entered July 20, 2017- Amendments to Plaintiffs' Master Long Form Complaint, Exemplar Short Form Complaint and Plaintiffs' Fact Sheet

**Pretrial Order No. 54** (Rec. Doc. 671) entered July 21, 2017- Docket Control Order-Voluntary Dismissals

**Pretrial Order No. 55** (Rec. Doc. 688) entered July 25, 2017- Order Regarding the Filing of the Amended Master Long Form Complaint and Substitution of the Amended Exemplar Short Form Complaint and Amended Plaintiff Fact Sheet

**Pretrial Order No. 56** (Rec. Doc. 712) entered August 2, 2017- Issuance of Summons with Corrected Defendants' Names

**Pretrial Order No. 57** (Rec. Doc. 718) entered August 3, 2017- Setting a Meeting with Liaison Counsel

**Pretrial Order No. 58** (Rec. Doc. 744) entered August 18, 2017- Granting Request for Oral Argument on Defendants' Motion to Dismiss Plaintiffs' Master Long Form Complaint (Rec. Doc. 489)

**Pretrial Order No. 59** (Rec. Doc. 816) entered September 7, 2017 – Resetting the Submission Date on Motion to Dismiss Claims Barred by the Applicable Statutes of Limitations (Rec. Doc. 494)

**Pretrial Order No. 60** (Rec. Doc. 819) entered September 7, 2017 – Order Regarding the Collection of Data of Potential Claimants by the Plaintiffs' Settlement Committee

#### **4. CASE MANAGEMENT ORDERS**

A listing of all Case Management Orders is attached to this Joint Report as Appendix B.

The Court has issued the following Case Management Orders since the July 7, 2017

Status Conference:

**Case Management Order No. 3** (Rec. Doc. 669) entered July 21, 2017- Trial Scheduling Order for First Trial Setting on September 24, 2018. The Court identified 10 plaintiffs whose original jurisdiction and venue is in the Eastern District of Louisiana, and set forth two phases of case-specific discovery for the September 24, 2018 jury trial against sanofi defendants only.

**Case Management Order No. 4** (Rec. Doc. 670) entered July 21, 2017, details the initial phase of case-specific discovery for those cases listed in Case Management Order No. 3 (Rec. Doc. 669).

**Case Management Order No. 5** (Rec. Doc. 762) entered August 23, 2017- Magistrate Judge North entered a General Discovery Protocol for use with the Sanofi Defendants.

**Case Management Order No. 6** (Rec. Doc. 780) entered August 29, 2017- Setting Four Bellwether Trial Dates in 2019.

The parties have agreed to meet and confer on a proposed Case Management Order for general discovery of the 505(b)(2) defendants based on the general discovery protocol for the Sanofi defendants.

On August 17, 2017, the parties discussed with the Court at the Liaison Conference submitting a proposed Case Management Order to the Court for each trial. The parties have exchanged drafts of a Case Management Order for the second trial.

**5. COUNSEL CONTACT INFORMATION FORM**

All counsel in the MDL are required to complete the Counsel Contact Information Form (available as a fillable PDF on the Court's MDL 2740 website) attached to PTO No. 7 (Rec. Doc. 155), and forward it to Plaintiffs' Co-Liaison Counsel at [dwhite@bkc-law.com](mailto:dwhite@bkc-law.com). This information must be kept current by each counsel and will be relied upon throughout the litigation. Co-Liaison Counsel provides a copy of all Counsel Contact Forms to Jacob Woody at BrownGreer. BrownGreer will rely on the information included in the Counsel Contact Form to serve all pleadings.

**6. MASTER COMPLAINT AND SHORT FORM COMPLAINT**

The Master Long Form Complaint was filed on March 31, 2017 (Rec. Doc. 312). PTO 41 (Rec. Doc 331) provides the Court-approved amended Exemplar Short Form Complaint, which supersedes PTO 37 (Rec. Doc. 318). Counsel are advised to make reference to the Master Long Form Complaint when completing the Short Form Complaint.

Due to issues with the proper names of some defendants, the parties filed a Stipulation Concerning Amendments to Plaintiffs' Master Long Form Complaint, Exemplar Short Form Complaint and Plaintiff Fact Sheet (Rec. Doc. 642), which the Court adopted in PTO 55 (Rec. Doc. 688). Plaintiffs filed their First Amended Master Long Form Complaint and Demand for Jury Trial (Rec. Doc. 689) pursuant to PTO 55 (Rec. Doc. 688).

Plaintiffs' counsel need not file any amending complaint or amending Plaintiffs' Fact Sheet in order to effectuate the aforementioned naming corrections, but they must re-serve Sun

Pharmaceuticals, Inc. f/k/a Caraco Laboratories Ltd. PTO No. 53 (Rec. Doc. 664) if service was previously effectuated on the improperly named Sun Pharma entity.

Additionally, should any plaintiff's counsel use the Short Form Complaint as an amending complaint, and not include all defendants named in the original complaint, the Clerk's office will close that plaintiff's claims against the defendant(s) who is (are) not named.

If any case was docketed in the MDL prior to April 1, 2017, a Short Form Complaint may be filed as an amended complaint in the plaintiff's individual case, not in the master MDL docket. If the case is filed in or transferred to the MDL from April 1, 2017 forward, the plaintiff must file a Short Form Complaint as an original complaint (not in the master MDL docket). The relevant PTOs are PTO No. 15 (Rec. Doc. 230), PTO No. 37 (Rec. Doc. 318), and PTO 41 (Rec. Doc. 331).

Should any Plaintiff wish to file an Amended Complaint, the Court's Local Rule 7.6<sup>1</sup> requires that before filing any motion to amend pleadings, the Plaintiff must attempt to obtain the consent for the filing and granting of the motion from all parties having an interest to oppose. Plaintiffs' counsel must email each request<sup>2</sup> for consent to Co-Defendants' Liaison Counsel, Douglas Moore, [dmoore@irwinllc.com](mailto:dmoore@irwinllc.com), and John Olinde, [Olinde@chaffe.com](mailto:Olinde@chaffe.com), who will forward the request to the appropriate attorneys for a response. If consent is obtained, the motion need not be assigned a submission date, but must be accompanied by a proposed order and include a certification by counsel for Plaintiff of the consent of opposing counsel. If consent is not granted, the motion for leave to amend the pleadings must be filed as an opposed motion.

Moreover, attention must be paid to amendments entailing voluntary dismissal of the entire case. Under PTO 54 (Rec. Doc. 671), entered on July 21, 2017, plaintiffs cannot "notice"

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<sup>1</sup> [http://www.laed.uscourts.gov/sites/default/files/local\\_rules/LAEDLocalCivilRules\\_4.pdf](http://www.laed.uscourts.gov/sites/default/files/local_rules/LAEDLocalCivilRules_4.pdf)

<sup>2</sup> The request should include the proposed motion, order and amending pleading, as well as documentation supporting product identification (if available).

a voluntary dismissal of all defendants without prejudice. They must either move to dismiss, get stipulation to dismiss, or dismiss with prejudice. In any case, several procedural requirements must also be met and counsel should review the requirements of PTO 54. All voluntary dismissals without prejudice that would result in the dismissal of an entire action against all named Defendants require leave of Court by (i) motion or (ii) with stipulation of all served Defendants. With either a motion or stipulation, a plaintiff must serve a completed Plaintiff Fact Sheet and accompanying disclosures. In addition, with a motion, the plaintiff must provide 14 days prior written notice to PLC and DLC and include a certification indicating either: (1) Defendants' consent or no intended opposition to the motion, or (2) that the motion is opposed and the grounds for such opposition.

#### **7. PLAINTIFF AND DEFENDANT FACT SHEETS**

Counsel should note the rules of the Plaintiff Fact Sheets ("PFS") in several Pretrial Orders:

- Amended PTO 22 (Rec. Doc. 325) sets forth service of PFSs and Defendant Fact Sheets;
- PTO 23 (Rec. Doc. 280) amends Exhibit A which are the authorizations to PFS (Rec. Doc. 280);
- PTO 24 (Rec. Doc. 279) provides additional details on the service of fact sheets and authorizations through MDL Centrality and the PLC Distribution of Orders and Notices per PTO 1
- PTO 55 (Rec. Doc. 688) grants the filing of an Amended Plaintiffs Fact Sheet. See Rec. Doc. 236-1.

Amended PTO 22 (Rec. Doc. 325) provides the timeframe for service of completed PFS and DFS forms; however, the Court has determined that the term "date of this order" in the Orders refers to the date of the initial PTO 22 (i.e., March 10, 2017). The timeframe for service

of completed PFS and DFS are shortened for the ten Trial Plaintiffs. CMO No. 4 (Rec. Doc. 670).

As September 5, 2017, Plaintiffs have served 822 PFSs and 437 PFSs are in progress. Based on the PFSs received as of September 5, 2017, they divide among defendants as follows: 441 sanofi, 62 Hospira, 12 Sandoz, 12 Accord, 172 Unknown, 50 Blank, 79 Other/Miscellaneous. The parties continue to confer on the status of photographic evidence submitted with fact sheets with Plaintiffs' Liaison Counsel advising all plaintiffs' counsel of the Court's statements on this issue, the descriptions of plaintiffs' injuries in the Short Form complaints, the Deficiency Notices issued, and the status of product identification in multi-defendant cases. Many PFSs are due under the provisions of Amended PTO 22 (Rec. Doc. 325) September 22, 2017.

Under PTO 22 ¶ 5, sanofi identifies the approximately 33 cases attached hereto as Appendix C as matters where no PFS, authorizations, or responsive documents have been submitted in violation of the Order. Sanofi accordingly requests that the Court issue a show cause order with notice pursuant to PTO 22. *Id.*

Subject to the same provisions, Sanofi identifies the approximately 40 cases attached hereto as Appendix D where Defendants issued deficiency notices on Plaintiffs' PFSs and Plaintiffs have failed to respond in any manner for thirty (30) days or more. Defendants accordingly requests that the Court issue a show cause order with notice pursuant to PTO 22. *Id.*

Under PTO 22 ¶ 5, the 505(b)(2) defendants have identified cases where no PFS, authorizations, or responsive documents have been submitted. The 505(b)(2) defendants intend to monitor the continued submission of PFSs, through the remainder of the period for staggered submissions and agree to meet and confer with plaintiffs regarding any delinquent PFSs at the

close of the submission period. To the extent any issues cannot be resolved through this meet and confer process, the 505(b)(2) defendants will present any outstanding matters to the court at a subsequent status conference.

In addition, under PTO 22 ¶ 5, the 505(b)(2) defendants have identified cases where deficiency notices have been issued in response to Plaintiffs' PFSs and Plaintiffs have failed to respond within the requisite thirty (30) day period. The 505(b)(2) defendants agree to meet and confer with plaintiffs regarding those cases, and, if unable to resolve the issues, will ask at the next status conference that the Court issue a show cause order with respect to these cases.

**8. MDL CENTRALITY**

Fillable versions of the Plaintiff Fact Sheet and Defense Fact Sheet are on the Court's website under the tab "Forms," as well as on the BrownGreer website.

**9. SERVICE ON DEFENDANTS**

Counsel for sanofi and the Plaintiffs' Steering Committee (PSC) have agreed to a streamlined service procedure set forth in PTO 9 (Rec. Doc. 160) for service of complaints on the domestic sanofi entity. As a result of PTO 9, Plaintiffs are not required to effectuate service on the foreign sanofi entities unless otherwise ordered by the Court.

Counsel for several defendants have also agreed to streamlined service procedures: for Accord Healthcare, Inc., a streamlined service procedure is in PTO 29 (Rec. Doc. 303); for Sandoz Inc. in PTO 30 (Rec. Doc. 304); for Actavis Pharma, Inc. in PTO 32A (Rec. Doc. 710); for McKesson Corporation in PTO 33 (Rec. Doc. 308); for Sun Pharma, Inc. in PTO 39A (Rec. Doc. 711); and for Hospira Worldwide, LLC in PTO 40A (Rec. Doc. 509) that amends and supersedes PTO 40 (Rec. Doc. 328).

**10. DISMISSAL OF DEFENDANTS**

Three entities, who were originally named as defendants, have been dismissed in all cases pending in the MDL. One entity (Apotex, Inc.) submitted proof by affidavit that it did not manufacture Docetaxel. The other entities, Northstar RX, LLC and Eagle Pharmaceuticals, Inc., submitted proof that they did not manufacture Docetaxel until after the date of infusions alleged in the individual Complaints. The referenced documents are as follows: Northstar RX LLC (Rec. Docs. 320, 324, 333, 335), Eagle Pharmaceuticals, Inc. (Rec. Doc. 319, 332, 336), and Apotex, Inc. (Rec. Docs. 219, 224, 225).

The Defendants have communicated with Plaintiffs and Plaintiffs' Liaison Counsel seeking dismissal in cases where (i) a plaintiff's PFS identified a different manufacturer of Taxotere/docetaxel, (ii) Plaintiffs' records reflect treatment only with Taxotere/docetaxel manufactured by a different defendant, and/or (iii) Plaintiffs' records indicate treatment dates prior to the availability of the defendant's product on the market. Plaintiffs and Defendants are meeting and conferring regarding these requests for dismissal. The PSC and all defendants agree to make a concerted effort to ensure that only the proper defendants are named. The PSC and all defendants further agree to make a concerted effort to dismiss other defendant manufacturers named in a complaint once the Plaintiff attorney receives or obtains information that identifies the product used by the Plaintiff. The parties are prepared to discuss this issue at the status conference.

**11. PRESERVATION ORDER**

Counsel are reminded to familiarize themselves with the terms of PTO 1 (Rec. Doc. 4, ¶12) regarding preservation of evidence. The parties will meet and confer if it becomes appropriate to modify, amend or supplement PTO No. 1 regarding Preservation Order. Pursuant

to negotiations with the U.S. sanofi defendants, Plaintiffs' Liaison Counsel circulated an additional letter on preservation to all Plaintiffs' counsel known at the time.

**12. PROTECTIVE ORDER**

Magistrate Judge North entered the Protective Order on July 5, 2017 as PTO 50 (Rec. Docs. 612-1, 613).

**13. ESI DISCOVERY**

Magistrate Judge North entered the Electronically Stored Information Protocol on July 5, 2017 as PTO 49 (Rec. Docs. 611-1, 613).

**14. DISCOVERY OF DEFENDANTS**

Plaintiffs have served jurisdictional discovery and foreign merits discovery and the Sanofi Defendants have responded. This discovery now is moot, as Plaintiffs and the Sanofi defendants have reached an agreement to resolve the French sanofi motion to dismiss for lack of jurisdiction (Rec. Doc. 346), French sanofi motion for protective order (Rec. Doc. 542), plaintiffs' motion to compel jurisdictional discovery (Rec. Doc. 626), and sanofi's motion for disclosure of non-party interested entities or persons (Rec. Doc. 559). Plaintiffs and Sanofi intend to submit a stipulation to the Court that sets forth the terms of this agreement.

Plaintiffs have served merits discovery on Sanofi, and the Sanofi defendants have begun the process of producing responsive documents. The parties have met and conferred multiple times about this discovery served by the Plaintiffs. The parties are generally addressing discovery disputes with Magistrate Judge North.

**15. MOTION PRACTICE**

On May 26, 2017, Defendants filed a Motion to Dismiss Plaintiffs' Master Long Form Complaint (Rec. Doc. 489). Argument on this motion was heard on August 30, 2017. The Court

denied defendants' motion with regard to Counts I and III-VII of the Master Complaint. With regard to Counts II and VIII, the Court granted plaintiffs 14 days to amend their Master Complaint. (Rec. Doc. 784).

On May 26, 2017, sanofi filed a Motion to Dismiss Claims Barred by the Applicable Statutes of Limitations (Rec. Doc. 494). Plaintiffs opposed that motion on July 20, 2017 (Rec. Doc. 663). Sanofi replied in support of the motion on August 25, 2017 (Rec. Doc. 771). The status of this motion will be discussed with the Court at the meeting of the PSC and Defendants' Lead Counsel.

**16. CLASS CERTIFICATION BRIEFING**

Class Certification of a putative Louisiana class of plaintiffs was denied by the Court on July 17, 2017. Rec. Doc. 647.

**17. SETTLEMENT COMMITTEES**

Pursuant to PTO 6 (Rec. Doc. 133), the Court appointed representatives to a plaintiff's Settlement Committee and to a sanofi Settlement Committee. Settlement Committees are tasked with maintaining a continuing, collaborative discussion of the elements and characteristics of a framework for potential resolution of cases. Pursuant to PTO 44 (Rec. Doc. 371), the Court appointed a separate Settlement Committee for the non-sanofi defendants, referred to as the 505(b)(2) defendants. The chairpersons for each Settlement Committee recently met in person to discuss relevant issues and a process for identifying unfiled cases.

**18. SPECIAL MASTER FOR PLAINTIFFS' TIME AND EXPENSES**

In PTO 20 (Rec. Doc. 265) the Court appointed Kenneth W. DeJean as Special Master for the Plaintiffs to review the time and expenses submitted as common benefit during the course

of the MDL. The Special Master is working in the time and expense reporting system, having begun his first review of the time and expenses submitted.

**19. UPCOMING DEADLINES OR IMPORTANT DATES**

A. Date to be determined – Per PTO 15 (Rec. Doc. 230), each Defendant shall file a Master Answer on or before 60 days following the filing of the Master Complaint or within 30 days after the Court’s ruling on all Motions to Dismiss, whichever is later. The parties require clarification on the impact of the Court’s granting in part and denying in part Defendants’ motion to dismiss, as well as of the pending motion to dismiss based on the statute of limitations, on this deadline.

**20. NEXT STATUS CONFERENCE**

The Court has announced that the next general status conference will be held on October 27, 2017, at 10:00 a.m. in Judge Engelhardt’s courtroom, with the meeting of Liaison Counsel at 8:30 a.m. in Chambers, and the meeting of the PSC and the defendants’ Lead Counsel at 9 a.m. The Court has set up a telephone conference line for the status conference that begins at 10:00 a.m. To join the status conference by telephone at 10:00 a.m., call (800) 260-0712 and enter access code 427302.

Dated: September 12, 2017

Respectfully submitted:

*/s/Dawn M. Barrios*  
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*/s/ Douglas J. Moore*

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*Defendants' Liaison Counsel*

*/s/ John F. Olinde*

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*Defendants' Liaison Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2017, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record who are CM/ECF participants.

*/s/ M. Palmer Lambert*

**M. PALMER LAMBERT**

# APPENDIX A

## **PRETRIAL ORDERS**

**Pretrial Order No. 1** (Rec. Doc. 4) entered October 13, 2016 – Setting initial conference.

**Pretrial Order No. 2** (Rec. Doc. 104) entered November 17, 2016 – Appointing Plaintiffs' Liaison Counsel, Plaintiffs' Steering Committee, and Defendants' Liaison Counsel.

**Pretrial Order No. 3** (Rec. Doc. 115) entered November 30, 2016 – Filing Requests for Summons and Summons Returns.

**Pretrial Order No. 4** (Rec. Doc. 122) entered December 9, 2016 – Procedures for Direct Filing into the MDL [**superseded by PTO 5**].

**Pretrial Order No. 5** (Rec. Doc. 131) entered December 13, 2016 – Amended Procedures for Direct Filing into the MDL.

**Pretrial Order No. 6** (Rec. Doc. 133) entered December 13, 2016 – Appointing Settlement Committees.

**Pretrial Order No. 7** (Rec. Doc. 155) entered December 28, 2016 – Approving and attaching Counsel Contact Information Form.

**Pretrial Order No. 8** (Rec. Doc. 156) entered December 30, 2016 – Federal-State Coordination and Cooperation.

**Pretrial Order No. 9** (Rec. Doc. 160) entered January 3, 2017 – Streamlined Service on sanofi-Aventis U.S. LLC.

**Pretrial Order No. 10** (Rec. Doc. 169) entered January 11, 2017 – JPML Clarification on Scope of MDL.

**Pretrial Order No. 11** (Rec. Doc. 170) entered January 11, 2017 – Extending Deadline to Submit Proposed PFS and DFS.

**Pretrial Order No. 12** (Rec. Doc. 191) entered January 20, 2017 – Directing that Service of Process shall be made on all known, non-sanofi Defendants by February 15, 2017; Directing Liaison Counsel to Provide Proposed Deadlines for Close of Pleadings.

**Pretrial Order No. 13** (Rec. Doc. 209) entered January 31, 2017 – Appointing Brian S. Rudick to the Settlement Committee.

**Pretrial Order No. 14** (Rec. Doc. 216) entered February 3, 2017 – Order from January 27, 2017 Status Conference.

**Pretrial Order No. 15** (Rec. Doc. 230) entered February 10, 2017 – Order setting deadlines for Master and Short Form Complaint, Motions to Dismiss and Master Answer.

**Pretrial Order No. 16** (Rec. Doc. 234) entered February 13, 2017 – Intention to Enter Common Benefit, Time and Expense Rules, Appointment of CPA, Holdback, Assessments, and Related Issues.

**Pretrial Order No. 17** (Rec. Doc. 235) entered February 13, 2017 – Intention to Appoint Kenneth W. DeJean as Special Master.

**Pretrial Order No. 18** (Rec. Doc. 236) entered February 14, 2017 – Ordering the use of the attached Plaintiff Fact Sheets and Defense Fact Sheets. See also R.Doc. 236-1.

**Pretrial Order No. 19** (Rec. Doc. 262) entered February 23, 2017 – Adopting the proposed Common Benefit Order submitted by Liaison Counsel and the Plaintiffs' Steering Committee.

**Pretrial Order No. 20** (Rec. Doc. 265) entered February 24, 2017 – Appointing Kenneth W. DeJean as Special Master.

**Pretrial Order No. 21** (Rec. Doc. 276) entered March 7, 2017 – Setting Deadlines following March 6, 2017 meeting with liaison counsel.

**Pretrial Order No. 22** (Rec. Doc. 279) entered March 10, 2017 – Implementation of Deadlines for Service of Fact Sheets and Deficiencies.

**Pretrial Order No. 23** (Rec. Doc. 280) entered March 10, 2017 – Amending Exhibit A to Pretrial Order No. 18 (R. Doc. 236-1) to include the authorizations approved by the Court.

**Pretrial Order No. 24** (R. Doc. 286) entered March 16, 2017 – Guidelines for service of Fact Sheets through MDL Centrality and Plaintiff Liaison Counsel Distribution of Orders and Notices per Pretrial Order No. 1.

**Pretrial Order No. 25** (R. Doc. 287) entered March 16, 2017 – Appointing John F. Olinde to serve as Liaison Counsel for the non-Sanofi defendants.

**Pretrial Order No. 26** (Rec. Doc. 289) entered March 17, 2017 – Designating Defense Counsel to Attend Plaintiffs' Steering Committee Meetings

**Pretrial Order No. 26A** (Rec. Doc. 598) entered June 28, 2017 – Modification to Designation of Defense Counsel to Attend Plaintiffs' Steering Committee Meetings

**Pretrial Order No. 27** (Rec. Doc. 298) entered March 24, 2017 – Order from March 17, 2017 Status Conference

**Pretrial Order No. 28** (Rec. Doc. 302) entered March 27, 2017 – Setting a Meeting with Liaison Counsel

**Pretrial Order No. 29** (Rec. Doc. 303) entered March 27, 2017 – Streamlined Service on Accord Healthcare, Inc.

**Pretrial Order No. 30** (Rec. Doc. 304) entered March 27, 2017 – Streamlined Service on Sandoz, Inc.

**Pretrial Order No. 31** (Rec. Doc. 305) entered March 27, 2017 – Amended Task Codes for Common Benefit Order

**Pretrial Order No. 32** (Rec. Doc. 307) entered March 31, 2017 – Streamlined Service on Actavis Pharma, Inc.

**Pretrial Order No. 33** (Rec. Doc. 308) entered March 31, 2017 – Streamlined Service on McKesson Corporation

**Pretrial Order No. 34** (Rec. Doc. 309) entered March 31, 2017 – Extending the Deadline to Submit Proposed Orders for Streamlined Service as to Eagle Pharmaceuticals, Inc. and NorthStar Rx LLC

**Pretrial Order No. 35** (Rec. Doc. 310) entered March 31, 2017 – Scheduling Meetings between the Court and the Settlement Committees

**Pretrial Order No. 36** (Rec. Doc. 317) entered April 6, 2017 – Withdrawal of Deadline to Submit Proposed Orders Regarding Streamlined Service as to Eagle Pharmaceuticals, Inc. and NorthStar Rx LLC

**Pretrial Orders No. 37 and 41** (Rec. Docs. 318 and 331) entered April 6, 2017 and April 17, 2017 – Exemplar Short Form Complaint and superseding and amending Exemplar Short Form Complaint.

**Pretrial Order No. 38** (Rec. Doc. 326) entered on April 12, 2017- Amending PFS and DFS

**Pretrial Order No. 39** (Rec. Doc. 327) entered on April 11, 2017- Streamlined Service on Sun Pharma Global, Inc.

**Pretrial Order No. 40** (Rec. Doc. 328) entered on April 12, 2017- Streamlined Service on Hospira Worldwide, LLC and Pfizer Inc.

**Pretrial Order No. 40A** (Rec. Doc. 509) entered June 1, 2017 – Amending Pretrial Order No. 40 regarding Streamlined Service on Hospira Worldwide, LLC and Pfizer, Inc.

**Pretrial Order No. 42** (Rec. Doc. 348) entered on April 26, 2017- Responsive Pleadings to Short Form Complaints Reserved

**Pretrial Order No. 43** (Rec. Doc. 349) entered April 27, 2017- Regarding July 7, 2017 Status Conference, 505(b)(2) Defendant Settlement Committee, “Science Day,” Remand Motions and Discovery Schedule

**Pretrial Order No. 44** (Rec. Doc. 371) entered May 11, 2017 – Order Appointing 505(b)(2) Defendants’ Settlement Committee

**Pretrial Order No. 45** (Rec. Doc. 458) entered May 12, 2017 – Setting the Briefing Schedule for the Omnibus Motions to Remand

**Pretrial Order No. 46** (Rec. Doc. 462) entered May 16, 2017 – Order from May 12, 2017 Status Conference

**Pretrial Order No. 47** (Rec. Doc. 534) entered June 13, 2017 – Granting Requests for Oral Argument on Omnibus Motions to Remand

**Pretrial Order No. 48** (Rec. Doc. 566) entered June 28, 2017 – Resetting Oral Argument on Omnibus Motions To Remand

**Pretrial Order No. 49** (Rec. Docs. 611, 613) entered July 5, 2017 – Electronically Stored Information Protocol

**Pretrial Order No. 50** (Rec. Docs. 612, 613) entered July 5, 2017 – Protective Order

**Pretrial Order No. 51** (Rec. Doc. 660) entered July 18, 2017- Order from July 7, 2017 Status Conference

**Pretrial Order No. 52** (Rec. Doc. 661) entered July 18, 2017- Amended Deadlines Regarding Personal Jurisdiction and Potential Discovery Protocols

**Pretrial Order No. 53** (Rec. Doc. 664) entered July 20, 2017- Amendments to Plaintiffs' Master Long Form Complaint, Exemplar Short Form Complaint and Plaintiffs' Fact Sheet

**Pretrial Order No. 54** (Rec. Doc. 671) entered July 21, 2017- Docket Control Order- Voluntary Dismissals

**Pretrial Order No. 55** (Rec. Doc. 688) entered July 25, 2017- Order Regarding the Filing of the Amended Master Long Form Complaint and Substitution of the Amended Exemplar Short Form Complaint and Amended Plaintiff Fact Sheet

**Pretrial Order No. 56** (Rec. Doc. 712) entered August 2, 2017- Issuance of Summons with Corrected Defendants' Names

**Pretrial Order No. 57** (Rec. Doc. 718) entered August 3, 2017- Setting a Meeting with Liaison Counsel

**Pretrial Order No. 58** (Rec. Doc. 744) entered August 18, 2017- Granting Request for Oral Argument on Defendants' Motion to Dismiss Plaintiffs' Master Long Form Complaint (Rec. Doc. 489)

**Pretrial Order No. 59** (Rec. Doc. 816) entered September 7, 2017 – Resetting the Submission Date on Motion to Dismiss Claims Barred by the Applicable Statutes of Limitations (Rec. Doc. 494)

**Pretrial Order No. 60** (Rec. Doc. 819) entered September 7, 2017 – Order Regarding the Collection of Data of Potential Claimants by the Plaintiffs' Settlement Committee

# APPENDIX B

**CASE MANAGEMENT ORDERS**

**Case Management Order No. 1** (Rec. Doc. 465) entered May 18, 2017- Personal Jurisdiction Discovery

**Case Management Order No. 2** (Rec. Doc. 474) entered May 23, 2017- Discovery on French Sanofi Entities

**Case Management Order No. 3** (Rec. Doc. 669) entered July 21, 2017- Trial Scheduling Order

**Case Management Order No. 4** (Rec. Doc. 670) entered July 21, 2017- Protocol for Initial Phase of Case-Specific Discovery for Cases Identified in Case Management Order No. 3

**Case Management Order No. 5** (Rec. Doc. 762) entered August 23, 2017- General Discovery Protocol- Sanofi Defendants

**Case Management Order No. 6** (Rec. Doc. 780) entered August 29, 2017- Setting Four Bellwether Trial Dates in 2019

# APPENDIX C

<b>Centrality Plaintiff ID</b>	<b>Plaintiff Name</b>
1428	BRADLEY, ROBIN
1414	ROHLI, BRENDA
1595	KLOCK, SANDRA
1591	WARTBERG, CAROLYN
1584	CAROL, BASS
1356	SIMS, BRENDA
1490	GREEN, VEOLA
1477	HIGHSMITH, WYLINA
1523	MECKEL, MARY
1340	BUCKNER, NORMA
1362	CAPLETON, PAMELA
1491	DUNN, BRENDA
1359	WILSON, BEVELA
1363	WOOTEN, MARLON
1638	MARINO, PATRICIA
1170	DUNN, TIFFANY
1286	ANDREWS, ELSIE
1317	BOLIN MEERT, SUZANNE
1177	BOSCH, MARIA
1246	LAWRENCE, KAREN
1249	MORALES, SUSAN
1250	PAYNE, DEBORAH
1293	SPENCER, TONI
1295	WILSON, BETTY
1396	LANDRY, NANCY
1405	FOWLER, JANIS
1540	GIBSON, PEARL
1476	HARTLEY, SHIRLEY
1536	KATHLEEN, GABRIEL
1467	SEYMORE, LINDA
1470	STONE, ANITA
1465	YOUNG, DENISE

# APPENDIX D

Case Name	MDL Docket No.
Brown, Tammy v. Sanofi SA, et al.	2:17-cv-05427
Cargile, Linda v. Sanofi SA, et al.	2:16-cv-17939
Collins, Pamela v. Sanofi SA, et al.	2:17-cv-05476
Daley, Jennifer v. Sanofi SA, et al.	2:17-cv-04825
Daniels, Cordela v. Sanofi SA, et al.	2:17-cv-04672
Francois, Michelle v. Sanofi SA, et al.	2:17-cv-04811
Green, Sandra v. Sanofi SA, et al.	2:16-cv-15518
Gullette, Regina v. Sanofi SA, et al.	2:17-cv-02756
Hatcher, Barbara v. Sanofi SA, et al.	2:17-cv-05117
Hayes, Jauronice v. Sanofi SA, et al.	2:16-cv-16802
Henderson, Alicia v. Sanofi SA, et al.	2:17-cv-04945
Hill, Cheryl v. Sanofi SA, et al.	
Hornyak, Carolyn v. Sanofi SA, et al.	2:17-cv-04952
Markham, Donna v. Sanofi SA, et al.	2:17-cv-04495
McKinley, Shirley v. Sanofi SA, et al.	2:17-cv-04758
McNeal, Opal v. Sanofi SA, et al.	2:16-cv-17919
Miller, Lagayle v. Sanofi SA, et al.	2:17-cv-03769
Paxton, Alice v. Sanofi SA, et al.	2:17-cv-05488
Rieder, Jackie v. Sanofi SA, et al.	2:17-cv-04824
Robertson, Theresa v. Sanofi SA, et al.	2:17-cv-04839

<b>Case Name</b>	<b>MDL Docket No.</b>
Rodriguez, Elizabeth v. Sanofi SA, et al.	2:16-cv-17245
Tomasek, Arlene v. Sanofi SA, et al.	2:16-cv-17246
Wallis, June v. Sanofi SA, et al.	2:17-cv-04954
Yoho, Julie v. Sanofi SA, et al.	2:17-cv-04125
Zeno, Phyllis v. Sanofi SA, et al.	2:17-cv-04642

<b>Case Name</b>	<b>MDL Docket No.</b>
Butler, Gail v. Sanofi SA, et al.	2:17-cv-02135
Davis, Patricia v. Sanofi SA, et al.	2:17-cv-02309
Guidry, Iris v. Sanofi SA, et al.	2:16-cv-15656
Hollis, Patricia P. v. Sanofi SA, et al.	2:17-cv-02354
Koontz, Debra v. Sanofi SA, et al.	2:16-cv-15310
Tolfree, Christine v. Sanofi SA, et al.	2:16-cv-15318