

ID information is then authorized for a period of 120 days (§ 12). If Product ID is not determined, any Plaintiff continuing to lack Product ID may then “be brought to the attention of the Court for appropriate adjudication” (§ 12). In addition, the Addendum to CMO 12A entered on December 6, 2022 (Rec. Doc. 15287) identifies the documents outside the parameters of CMO 12A to be considered by the Court in adjudicating Product ID deficiencies and a 30-day time period for Plaintiffs to obtain the same.

On January 24, 2023, Defendants issued a Notice of Non-Compliance of cases with remaining CMO 12A deficiencies subject to the February 7, 2023 Order to Show Cause hearing. (*See* Exhibits C and D to Rec. Doc. 15433). To the extent a deficiency remains, consistent with this Court’s previous orders, each Plaintiff identified on the Notice of Non-Compliance (Exhibits C and D to Rec. Doc. 15433) is **ORDERED** to comply with CMO 12A by obtaining Product ID information consistent with CMO 12A and/or the Addendum to CMOA, uploading such results to MDL Centrality, and dismissing all Defendants for whom she does not have Product ID.

In addition, on December 14, 2022, Plaintiffs’ Co-Liaison Counsel provided Defendants a list of Plaintiffs who intend to seek reinstatement of their cases as described in the Addendum to CMO 12A. To the extent there remains a dispute as to whether a case is subject to reinstatement, the parties will continue to meet and confer and any remaining dispute shall be heard at the March 14, 2023 show cause hearing. (*See* Rec. Doc. 15287)

DEADLINES

The parties previously exchanged their respective positions on the evidence on January 12, 2023. The parties will exchange updated respective positions on the evidence by February 21, 2023, identifying any additional efforts to obtain Product ID and/or additional Product ID evidence obtained. Defendants will serve their 14-day list on February 28, 2023 in accordance with PTO 22A.

Documentation of unsuccessful efforts to obtain Product ID does not satisfy Plaintiff's obligations under this Order or CMO 12A, nor exempt a Plaintiff from dismissal for failure to establish Product ID.

On or before March 9, 2023, Defendants will provide final hearing lists to the Court identifying 1) those Plaintiffs objecting, the substance of their objections, and the parties' respective positions on the evidence submitted; 2) any additional Plaintiffs who do not plan to appear and object; 3) a listing of cases where a dispute remains as to reinstatement; and 4) any unresolved PFS deficiencies identified in Exhibit A and Exhibit B to Defendants' January 24, 2023 Notice of Non-Compliance (Rec. Doc. 15433).

New Orleans, Louisiana, on this 14th day of February, 2023.



**HON. JANE TRICHE MILAZZO
UNITED STATES DISTRICT JUDGE**