

CMO 11 Deadlines and Obligations

The following requirements and obligations apply to all plaintiffs with cases pending in the Xarelto MDL who have not enrolled in the Xarelto settlement program.

Please note that many of the CMO 11 deadlines are divided between “Existing Plaintiffs” and “New Plaintiffs.” CMO 11 defines “Existing Plaintiffs” as “Plaintiffs who filed suit on or before March 11, 2019.” *See* CMO 11 Section I(A)(i). CMO 11 defines “New Plaintiffs” as “Plaintiffs who filed suit after March 11, 2019.” *See* CMO 11 Section I(A)(ii). **Plaintiffs are advised to consult CMO 11 for the specific requirements associated with each obligation and the deadlines for each obligation that apply to each particular plaintiff.**

1. Obligations regarding filing fees.

Obligation	Deadline for Existing Plaintiffs	Deadline for New Plaintiffs
Pay filing fees	September 18, 2019	September 18, 2019 (or if the case is filed after that date, when the case is filed)

2. Obligations regarding medical records.

Obligation	Deadline for Existing Plaintiffs	Deadline for New Plaintiffs
Send document preservation notices by certified mail to the four categories of healthcare providers identified in CMO 11 Section II(A)	October 4, 2019	45 days from the date Defendants served a copy of CMO 11 on counsel for plaintiff
Serve Defendants (1) a list of all healthcare providers, including names and addresses, who received the preservation notice; (2) a statement representing that all required healthcare providers received the preservation notice, and (3) copies of all the preservation notices sent	October 9, 2019	50 days from the date Defendants served a copy of CMO 11 on counsel for plaintiff
Serve Affidavit of Compliance	October 21, 2019 and again after case-specific expert report is produced	60 days from the date Defendants served a copy of CMO 11 on counsel for plaintiff and again after case-specific expert report is produced

Obligation	Deadline for Existing Plaintiffs	Deadline for New Plaintiffs
Serve Defendants with all medical records required by CMO 11	Deadlines vary, depending on whether required directly by CMO 11 or by PPCF and Short Form PFS	Deadlines vary, depending on whether required directly by CMO 11 or by PPCF and Short Form PFS
Pay for the cost of any medical records from the prescriber or treater collected by The Marker Group, unless the Parties agree or the Court determines that the entirety of the prescriber and treater’s medical records pertaining to that Plaintiff were already produced to Defendants by that Plaintiff	Deadlines vary, depending on whether required directly by CMO 11 or by PPCF and Short Form PFS	Deadlines vary, depending on whether required directly by CMO 11 or by PPCF and Short Form PFS

3. Requirements regarding plaintiff profile information

Obligation	Deadline for Existing Plaintiffs	Deadline for New Plaintiffs
Serve a fully complete and verified Short Form Plaintiff Fact Sheet (“Short Form PFS”) that has been verified by the plaintiff.	November 4, 2019	30 days from the date the plaintiff’s case is docketed in this Court
Produce all documents and medical records requested by the Short Form PFS.	November 4, 2019	30 days from the date the plaintiff’s case is docketed in this Court
Serve a fully complete and verified Plaintiff Profile and Consent Form (“PPCF”)	November 4, 2019	30 days from the date the plaintiff’s case is docketed in this Court
Produce all medical records requested by the PPCF	November 4, 2019	30 days from the date the plaintiff’s case is docketed in this Court

4. Requirements Regarding Case-Specific Expert Report on injury and causation

Obligation	Deadline for Existing Plaintiffs	Deadline for New Plaintiffs
Serve a case-specific Rule 26(a)(2) report from a licensed physician qualified to render a specific causation opinion and who offers a specific causation opinion to a reasonable degree of medical probability that the plaintiff's alleged injury or event was caused by taking Xarelto as directed	January 2, 2020	The later of: January 2, 2020 or 120 days of the case being docketed in this Court
Produce all medical records contemporaneous to the prescription and use of Xarelto and treatment of any claimed Xarelto-related injury	January 2, 2020	The later of: January 2, 2020 or 120 days of the case being docketed in this Court