

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: INVOKANA (CANAGLIFLOZIN)	:	MDL NO. 2750
PRODUCTS LIABILITY LITIGATION	:	Master Docket No. 3:16-md-2750
	:	
	:	JUDGE BRIAN R. MARTINOTTI
	:	JUDGE LOIS H. GOODMAN
	:	

CASE MANAGEMENT ORDER NO. 11
(Multi-Plaintiff Complaints)

I. PURPOSE OF THIS ORDER

This Order is intended to address the management of multi-plaintiff complaints except those complaints naming a derivative plaintiff (e.g., cases in which a spouse is asserting a loss of consortium claim or there is some other derivative claim(s) file based upon the same underlying injury to the user of Invokana/Invokamet) that are pending in this MDL as of the date of this Order, as well as those complaints that are filed in any other federal or state court and are subsequently transferred and/or removed to this Court and become part of this MDL.

All multi-plaintiff complaints pending in this MDL as the date of this Order or that are transferred, or removed to the MDL should be severed. Accordingly, to resolve any concerns and to facilitate the efficient administration of these actions, it is ORDERED as follows:.

II. SEVERANCE OF MULTI-PLAINTIFF COMPLAINTS

A. From the date of this Order, no multi-plaintiff complaints may be directly filed in the MDL. The clerk’s office is instructed to reject for filing any multi-plaintiff complaint (except those naming a derivative plaintiff as set forth above).

B. For the multi-plaintiff complaints currently pending in this MDL, identified in the attached **Exhibit A**, the Court will issue a “Severance Order” that will sever the individual

plaintiffs listed, but for the first named plaintiff (and derivative plaintiff, if applicable) in the Plaintiff Specific Allegations contained in the complaint. Within 45 days of the issuance of said Order, the severed plaintiffs shall then file separate individual complaints in the MDL pursuant to CMO 4 (Direct Filing CMO), attaching the Severance Order as an Attachment to the filing. Individual civil action numbers will then be assigned for each individual case. Any individual complaint filed within the time provided will be deemed to have been filed on and relate back to the original filing date of the applicable multi-plaintiff action. Any statute of limitations defense that existed as of the filing dates of the original multi-plaintiff complaints shall be preserved.

C. For all pending or future multi-plaintiff complaints transferred or removed to the MDL following entry of this Order, Defendants shall notify the Court of said complaints, and the Court will issue a “Severance Order” as set forth in Paragraph B above and the severed plaintiffs will follow the same filing procedure as in Paragraph B. Any individual complaint filed within the time provided will be deemed to have been filed on and relate back to the original filing date of the applicable multi-plaintiff action. Any statute of limitations defense that existed as of the filing dates of the original multi-plaintiff complaints shall be preserved.

Dated: May 5, 2017

/s/ Brian R. Martinotti

HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE

EXHIBIT A
Currently Pending Multi-Plaintiff Complaints

Case Name	Case Number
Gregory Adams et al. v. Janssen Pharmaceuticals, Inc. et al.	3:17-cv-01787
Williams Bernthold et al. v. Janssen Pharmaceuticals, Inc. et al.	3:17-cv-02517
Brenda Freeman et al. v. Janssen Pharmaceuticals, Inc. et al.	3:16-cv-09258
Charles Pinkston et al. v. Janssen Pharmaceuticals, Inc. et al.	3:17-cv-01788
Marlene Roberge et al. v. Janssen Pharmaceuticals, Inc. et al.	3:17-cv-01619
Valerie Robinson-Adams v. Janssen Pharmaceuticals, Inc. et al.	3:17-cv-00804
Terry Williams et al. v. Janssen Pharmaceuticals, Inc. et al.	3:17-cv-00805