

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

**SHERYL MCCALL and DAVID
MCCALL,¹**

Plaintiffs,

v.

**JANSSEN PHARMACEUTICALS, INC.,
*et al.,***

Defendants.

This Document Relates to All Cases

Case No. 3:20-cv-08074(BRM)

**JUDGE BRIAN R. MARTINOTTI
JUDGE ZAHID N. QURAIISHI**

CASE MANAGEMENT ORDER NO. 2

1. SCOPE AND APPLICABILITY OF ORDER. This Case Management Order is intended to conserve judicial and party resources, eliminate duplicative discovery, serve the

¹This order applies to and shall be filed in the following pending and related actions: (1) *Lynn Brewer and William Brewer v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07758-BRM-ZNQ; (2) *Harriet Comstock v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07756-BRM-ZNQ; (3) *Sherry Dobbins and James Dobbins v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-09530-BRM-ZNQ; (4) *Carol Dubois v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10080-BRM-ZNQ; (5) *Deborah Edwards v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07753-BRM-ZNQ; (6) *Linda Holmberg and Roy Daniel Holmberg v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-11440-BMR-ZNQ (7) *Valerie Hull and Edward Hull v. Janssen Pharmaceuticals, Inc., et al.*, 2:20-cv-07079-BRM-ZNQ; (8) *Clara Johns v. Alza Corp., et al.*, 3:20-cv-10341-BRM-ZNQ; (9) *Shirley Ruth Levy v. Alza Corp., et al.*, 3:20-cv-10342-BRM-ZNQ; (10) *Sheryl McCall and David McCall v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-08074-BRM-ZNQ; (11) *Barbara Mayou and Keith Mayou v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-07750-BRM-ZNQ; (12) *Maria Rogers v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10966-BRM-ZNQ; (13) *Heather Shaffer v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10968-BRM-ZNQ; (14) *Becky Worden v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-06070-FLW-TJB (Wolfson, J.); (15) *Ronna York v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-10960-BRM-ZNQ; (16) *Iris Groudan v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-11912-BRM-ZNQ; (17) *Marilyn Evans v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-11913-BRM-ZNQ; (18) *Cynthia Vescio v. Janssen Pharmaceuticals, Inc., et al.*, 3:20-cv-12264.

convenience of the parties and witnesses, and promote the just and efficient conduct of this litigation. The following protocols and limitations in this Case Management Order (“CMO”) shall apply in all Elmiron products liability and/or personal injury cases pending before this Court now, or that might be filed or transferred to this Court.

A. RULE 26 INITIAL DISCLOSURES

The parties agree that the requirements of Fed.R.Civ.P. 26(a)(1)(A) shall hereby be suspended and waived for all parties going forward. However, in an effort to advance the litigation, each defendant currently served with a case agrees to provide a Master Initial Disclosure on or before October 30, 2020. Service of these disclosures shall be made by email on each Plaintiff Counsel of record with an Elmiron case pending before this Court. In lieu of Initial Disclosures, Plaintiffs are participating in a fact sheet meet and confer process, *see* section C, below.

B. SERVICE OF DOCUMENTS & NOTICE OF PARTIES

On behalf of Defendants, the parties agree that, with the exception of summons, Complaints, and materials served via the Court’s e-filing (ECF) system, legal documents related to one or more Elmiron cases pending before this Court should be served on the following:

Michael C. Zogby, Esq.
Faegre Drinker Biddle & Reath LLP
600 Campus Dr.
Florham Park, NJ 07932
michael.zogby@faegredrinker.com

Kristen Renee Fournier, Esq.
King & Spalding LLP
1185 Avenue of the Americas
New York, NY 10036
kfournier@kslaw.com

Defendants shall notify the Plaintiffs of any new Elmiron products liability and/or personal injury cases filed before this Court, or cases that might be transferred to this Court. This notice shall be via email to Michael London, Esq. at MLondon@DouglasandLondon.com.

C. PLAINTIFF MEDICAL RECORDS AND AUTHORIZATIONS

During various meet and confers, Defendants have expressed a desire to begin the process of medical record and authorization collections for each Plaintiff as soon as practicable, and the parties are continuing to work on this issue as part of the fact sheet meet and confer process.

Dated: September 8th, 2020



The Hon. Brian Martinotti, U.S.D.J.