

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING  
LITIGATION**

**THIS DOCUMENT RELATES TO:  
ALL ACTIONS**

**Case 2:23-md-03080  
MDL No. 3080**

**JUDGE BRIAN R. MARTINOTTI  
JUDGE LEDA D. WETTRE**

**CASE MANAGEMENT ORDER # 26**

**(ORDER GOVERNING DISPUTE RESOLUTION AND ARBITRATION  
MOTIONS)**

This Case Management Order sets forth the procedure and timeline for motions to compel arbitration or to dismiss pursuant to the Federal Arbitration Act (FAA) and the contract’s dispute resolution terms (collectively “Contract Motions”), as to the claims filed or brought by named plaintiffs or class representatives (together “Plaintiff” or “Plaintiffs”) in all actions currently pending as of the date of the entry of this Order in any track of MDL No. 3080, *In re: Insulin Pricing Litigation*.

- 1) Within 21 days of the date on which this Order is entered, all applicable Defendants (“Contract Defendants”) shall identify a list of all cases filed as of the date of this Order<sup>1</sup> that they suggest are subject to an arbitration clause they seek to enforce in this action.

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<sup>1</sup> With respect to cases filed after the date of this Order that Contract Defendants suggest are subject to an arbitration clause they seek to enforce in this action,

- 2) On or before **August 13, 2025**, Contract Defendants shall serve on Contract Plaintiffs one consolidated Contract Motion as to all Contract Plaintiffs who have been selected for any Stage 1 SFP case, which shall serve as exemplar Plaintiffs for Contract Motions (“Contract Plaintiffs”). The motion shall be subject to the page limits of the Local Rules of the District of New Jersey.
- 3) On or before **September 14, 2026**, Contract Plaintiffs shall serve on Contract Defendants one consolidated opposition. The opposition shall be subject to the page limits of the Local Rules of the District of New Jersey.
- 4) On or before **October 14, 2026**, Contract Defendants shall serve a reply. The reply shall be subject to the page limits of the Local Rules of the District of New Jersey.
- 5) The parties shall file all motion papers simultaneously on the docket of MDL No. 3080 within seven days of the completion of briefing.

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Contract Defendants shall identify any such case within 30 days of the filing of such a case. For any cases so identified, Plaintiffs shall serve their Plaintiff Fact Sheet and initial disclosures separately upon the non-Contract Defendant(s) in compliance with CMO 14 and the Federal Rules of Civil Procedure, but need not serve their Plaintiff Fact Sheet or initial disclosures on the Contract Defendant(s) until 14 days after resolution of the motions contemplated by this Order.

- 6) Within 14 days of the Court's ruling on the Contract Motion, the parties shall meet and confer regarding the application of that ruling to other cases in this MDL.
- 7) To the extent that a Plaintiff who is identified on the list proffered by Contract Defendants under Paragraph 1 above is selected to proceed to the next stage of discovery, Contract Defendants may file a Contract Motion concerning that Plaintiff in a manner that is consistent with CMO 24.
- 8) In stipulating to this briefing schedule, Plaintiffs shall not be deemed to have forfeited or waived any arguments that Contract Defendants have waived, forfeited, or are otherwise barred from compelling arbitration or asserting any dispute resolution terms. Contract Defendants shall not be deemed to have waived any argument that their motions were timely filed, including in keeping with the Court's orders in CMOs 5-7 at ECF No. 654.

**Dated: July 14, 2026**

**IT IS SO ORDERED:**

/s/ **Brian R. Martinotti**

**HON. BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**