

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

IN RE: LOESTRIN 24 FE ANTITRUST LITIGATION THIS DOCUMENT RELATES TO: All Actions	MDL No. 2472 Master File No. 1:13-md-2472-S-PAS
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INTERIM CASE MANAGEMENT ORDER 13

Having considered the joint stipulation of the parties regarding proposed changes in the case schedule set forth in Interim Case Management Order No. 12 (ECF No. 452), the Court hereby amends the case schedule in this matter as reflected below:

Event	Date
Parties certify that production of documents responsive to initial discovery requests is substantially complete (except as to Defendants’ supplemental document production based on additional time periods and Plaintiffs’ productions pursuant to recent agreement between the parties regarding other drug discovery).	October 5, 2017
Status conference with Court.	October 19, 2017
Deadline to exchange privilege logs for documents produced by October 5, 2017. ¹	October 26, 2017
Deadline to serve interrogatories.	January 17, 2018
Parties certify supplemental document production is substantially complete.	February 27, 2018
Deadline to amend pleadings or to add parties, claims, or defenses, except upon a showing of good cause.	March 26, 2018

¹ Privilege logs for any production made after October 5, 2017 shall be produced not more than 30 days after the production. Privilege logs for any production after February 20, 2018 shall be produced not more than 21 days after the production.

Deadline to serve requests for production of documents, interrogatories, and requests for admission on the amended pleadings.	April 2, 2018
Deadline for filing discovery-related motions (e.g., motions to compel, motions regarding privilege logs). ²	April 20, 2018
Deadline for Plaintiffs to file motions regarding privilege-related issues concerning Warner and Watson Defendants' privilege log and production.	June 1, 2018
Party fact discovery closes. ³	June 29, 2018
Deadline for document productions by non-parties.	July 6, 2018
Deadline to depose non-parties subject to pending motions to compel, as well as non-parties Aetna, Blue Cross & Blue Shield of Alabama, Blue Cross & Blue Shield of Rhode Island, Cigna, Highmark, and Wilson McShane.	July 18, 2018
Deadline for Plaintiffs to move for class certification and serve supporting expert reports. ⁴	July 30, 2018
Deadline for Defendants to file Rule 56 motion concerning monopoly power in the relevant product market and serve supporting expert reports.	July 30, 2018
Deadline for Defendants to oppose class certification, serve supporting expert reports, and file any <i>Daubert</i> motions relating to Plaintiffs' class certification experts.	September 28, 2018
Deadline for Plaintiffs to oppose Defendants' Rule 56 motion concerning monopoly power in the relevant product market, serve supporting expert reports, and file any <i>Daubert</i> motions relating to Defendants' monopoly power experts. Deadline	September 28, 2018

² Discovery motions may be filed before this date, but may only be filed after this date to address issues arising after the deadline or for good cause shown.

³ All discovery requests must be served to be answerable by this date, except for requests for admission, which may be served up to 45 days before Rule 56 and *Daubert* motions are filed.

⁴ For all expert reports, the parties will provide three available dates for the deposition of the proposed expert at the time of serving the report. The parties will work to make experts available during the time period preferred by the opposing party (e.g., sufficiently in advance of an opposition brief or responsive expert report). The parties will cooperatively try to schedule class certification-related depositions (and depositions related to Defendants' Rule 56 motion on monopoly power) well before the end of discovery.

for Plaintiffs to file any Rule 56 cross-motion concerning monopoly power in the relevant product market, which must be submitted in one brief with their opposition to Defendants' Rule 56 motion, and any supporting expert reports.	
Status conference regarding evidentiary hearing on class certification.	Early October 2018
Deadline for Plaintiffs to file replies in support of class certification, serve rebuttal class certification expert reports, and file any <i>Daubert</i> motions relating to Defendants' class certification experts.	November 2, 2018
Parties serve expert reports on merits issues on which they have the burden of proof.	October 2, 2018
Deadline to depose class certification experts. Any expert submitting a second report (a reply) may be subject to a second deposition, not to exceed 4 hours.	November 9, 2018
Deadline for Defendants to file replies in support of their Rule 56 motions concerning monopoly power in the relevant product market, and to oppose any Rule 56 cross-motion filed by Plaintiffs concerning monopoly power in the relevant product market, serve rebuttal expert reports, and file any <i>Daubert</i> motions relating to Plaintiffs' monopoly power experts.	November 9, 2018
Deadline for Plaintiffs to file a reply in support of any Rule 56 cross-motion concerning monopoly power in the relevant product market, and serve rebuttal expert reports.	November 30, 2018
Parties serve responsive expert reports on merits issues.	November 20, 2018
Evidentiary hearing on class certification.	November/December 2018
Deadline to depose monopoly power experts. Any expert submitting a second report (a reply) may be subject to a second deposition, not to exceed 4 hours.	December 7, 2018
Parties serve rebuttal merits expert reports.	December 21, 2018

Deadline to confer with the Court regarding the filing of Rule 56 motions.	January 4, 2019
Deadline to complete expert discovery. Each expert may be deposed once; Parties will work to make experts available during the time period preferred by the opposing party.	January 18, 2019
Hearing on Defendants' Rule 56 motion concerning monopoly power in the relevant product market.	January/February 2019
Deadline to file Rule 56 motions, as permitted by the Court (including Statements of Undisputed Fact and/or separate Statements of Undisputed Facts as required by LR Cv 56), and <i>Daubert</i> motions.	March 12, 2019
Deadline to file Rule 56 oppositions, as permitted by the Court, and <i>Daubert</i> oppositions (including responses to Statements of Undisputed Facts and/or separate Statements of Undisputed Facts as required by LR Cv 56).	April 12, 2019
Hearing on Rule 56 and <i>Daubert</i> motions.	April 2019
Parties exchange Rule 26(a)(3) disclosures and preliminary trial memoranda.	May 23, 2019
Parties exchange objections and counter-designations to Rule 26(a)(3) disclosures.	June 6, 2019
Parties exchange objections to counter-designations.	June 13, 2019
Parties file motions in limine.	June 13, 2019
Attorney conference on any issues arising from Rule 26(a)(3) disclosures.	June 2019
Parties file oppositions to motions in limine.	July 2, 2019
Parties file proposed voir dire questions, full and complete jury instructions, jury verdict form (with special interrogatories, if any are being requested), a list of all exhibits intended to be offered at the trial with statements of the purpose for which the exhibit is offered (premarked by the plaintiff in numerical order and premarked by the defendant in alphabetical order), final bound exhibits (original and two copies), revised 26(a)(3)/Final Pretrial Order materials, a list of all witnesses expected to	July 12, 2019

testify with a brief summary of each witness's testimony and a statement as to whether that witness will testify as an expert, and Final Trial Memoranda.	
In-person attorneys' conference in Providence, RI to address whether any issues may be narrowed before trial.	July 15, 2019
Draft of Final Pretrial Order exchanged.	July 19, 2019
Submission of Pretrial Memorandum, which shall contain the following information: 1. (a) Plaintiff will set forth what is expected to be proven in support of the claim; (b) Defendant will set forth what is expected to be proven in defense. 2. A memorandum of supporting law with citations of authorities. This is to include all the law applicable to the case with emphasis on special legal issues, including any and all matters that may be the subject of a motion in limine. All pertinent citations will be fully briefed. 3. A statement as to probable length of trial. 4. Any additional matter which counsel feel will aid the Court in the disposition and/or trial of the action.	July 23, 2019
Final pretrial conference and hearing on motions in limine. ⁵	July 30, 2019
Trial begins.	August 5, 2019

IT IS SO ORDERED.



William E. Smith
 Chief Judge
 Date: June 21, 2018

⁵ At least one representative of each party with full settlement authority must attend the final pretrial conference.