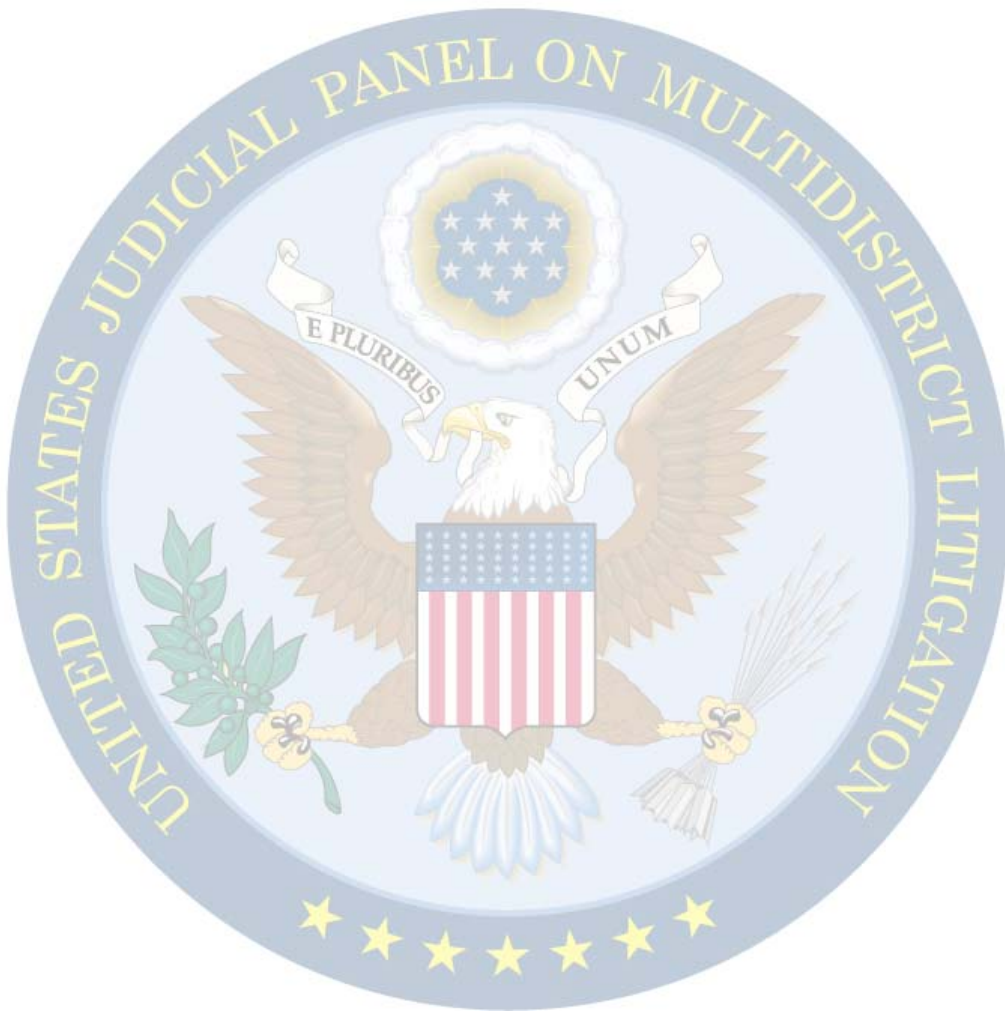


Hearing Session Order & Amendments



January 27, 2022

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **January 27, 2022**

LOCATION OF HEARING SESSION: Wilkie D. Ferguson, Jr. U.S. Courthouse
Ceremonial Courtroom 13-3, 13th Floor
400 North Miami Avenue
Miami, Florida 33128

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for Transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT:

- The Panel continues to monitor the ongoing COVID-19 pandemic. **At present, the Panel intends to hear oral argument in person, but reserves the option to hear oral argument by videoconference or teleconference should circumstances warrant.** Allocations of argument time will be made before the Hearing (using procedures employed at recent Panel hearings conducted by videoconference) such that counsel will be informed in advance of the hearing whether they are allocated time to argue. Allocations will not be made or changed at the Hearing. Further details regarding how the Hearing Session will be

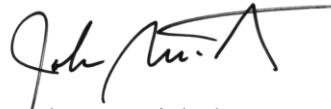
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conducted shall be provided after the filing of the parties' Notices of Presentation or Waiver of Oral Argument.

- The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions including those concerning an appropriate transferee district. Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.
- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **January 3, 2022**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a stylized flourish at the end.

John W. Nichols
Clerk of the Panel

cc: Clerk, United States District for the Southern District of Florida

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on January 27, 2022, the Panel will convene a hearing session in Miami, Florida, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

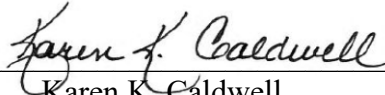
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c). **Oral argument will be heard in person unless the Panel determines that circumstances caused by the COVID-19 pandemic warrant hearing argument by videoconference or teleconference.** Should the Panel determine that oral argument is to be conducted by videoconference or teleconference, the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this decision to counsel for all parties involved in the matters listed on the attached Schedule.

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(b), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION



Karen K. Caldwell
Chair

Nathaniel M. Gorton
David C. Norton
Dale A. Kimball

Matthew F. Kennelly
Roger T. Benitez
Madeline Cox Arleo

SCHEDULE OF MATTERS FOR HEARING SESSION
January 27, 2022 -- Miami, Florida

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

**MDL No. 3021 – IN RE: SOCLEAN, INC., MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Larry Hunter-Blank, et al., to transfer the following actions to the United States District Court for the District of Kansas:

Middle District of Alabama

BRACKINS, ET AL. v. SOCLEAN, INC., C.A. No. 2:21–00651

Northern District of Alabama

CUPP, ET AL. v. SOCLEAN, INC., C.A. No. 1:21–01309

Eastern District of Arkansas

LANDERS v. SOCLEAN, INC., C.A. No. 4:21–00919

Middle District of Georgia

BROOKS v. SOCLEAN, INC., C.A. No. 5:21–00357

District of Kansas

STAHL v. SOCLEAN, INC., C.A. No. 2:21–02424

HUNTER–BLANK v. SOCLEAN, INC., C.A. No. 2:21–02425

Western District of Louisiana

HEBERT v. SOCLEAN, INC., C.A. No. 6:21–03225

Southern District of Mississippi

SAKALARIOS v. SOCLEAN, INC., C.A. No. 2:21-00114

Western District of Missouri

TURNER v. SOCLEAN, INC., C.A. No. 4:21-00722

JENKINS v. SOCLEAN, INC., C.A. No. 4:21-00723

Western District of Texas

WHEELER v. SOCLEAN, INC., C.A. No. 1:21-00837

MDL No. 3022 – **IN RE: HARVEST ENTITIES FAIR LABOR STANDARDS ACT (FLSA)
AND WAGE AND HOUR LITIGATION**

Motion of defendants Harvest Hospitalities, Inc., et al., to transfer the following actions to the United States District Court for the District of Maryland or, in the alternative, the United States District Court for the Western District of Pennsylvania:

District of Maryland

MORALES, ET AL. v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 1:21-02482

District of New Jersey

ROYAL, ET AL. v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 3:21-17737

Eastern District of Pennsylvania

WILSON, ET AL. v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 2:21-04274

Western District of Pennsylvania

DUKE v. HARVEST HOSPITALITIES, INC., ET AL., C.A. No. 2:20-00865

MDL No. 3023 – **IN RE: TAXOTERE (DOCETAXEL) EYE INJURY PRODUCTS
LIABILITY LITIGATION**

Motion of plaintiff Jade Porter to transfer the following actions to the United States District Court for the Northern District of California or, in the alternative, the United States District Court for the District of Arizona:

District of Arizona

CONE v. SANOFI US SERVICES, INC., ET AL., C.A. No. 2:21–00689

Central District of California

BURNS v. SANOFI US SERVICES, INC., ET AL., C.A. No. 2:21–08964

HAMILTON–MOEWS v. SANOFI US SERVICES, INC., ET AL., C.A. No. 5:21–00718

Eastern District of California

VEGA v. SANOFI US SERVICES, INC., ET AL., C.A. No. 2:21–00730

Northern District of California

PORTER v. SANOFI US SERVICES, INC., ET AL., C.A. No. 3:21–01891

ESTELL v. SANOFI US SERVICES, INC., ET AL., C.A. No. 3:21–02749

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

**MDL No. 2197 – IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Bruce Mattson and Thomas Ross to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Northern District of Illinois

MATTSON v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 1:21–05095
ROSS v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 1:21–05097

**MDL No. 2244 – IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Kelly Hunter, Elizabeth Reid, David Uhle, and John Spaeth to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

Middle District of Florida

HUNTER v. MEDICAL DEVICE BUSINESS SERVICES, INCORPORATED, ET AL.,
C.A. No. 3:21–00964
REID v. BAYSIDE ORTHOPAEDICS, INC., ET AL., C.A. No. 8:21–02678

Northern District of Illinois

UHLE v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 1:21–05798

Northern District of Ohio

SPAETH v. TJM MEDICAL, INC., ET AL., C.A. No. 1:21–02160

MDL No. 2406 – IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION

Opposition of plaintiffs John Hoover, et al., to transfer of the following action to the United States District Court for the Northern District of Alabama:

Southern District of Florida

HOOVER, ET AL. v. BLUE CROSS AND BLUE SHIELD ASSOCIATION,
ET AL., C.A. No. 1:21–23448

**MDL No. 2738 – IN RE: JOHNSON & JOHNSON TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiff Jennifer Houseman Corbett to transfer of the following action to the United States District Court for the District of New Jersey:

Western District of New York

CORBETT v. WALMART INC., C.A. No. 1:21–00996

MDL No. 2741 – IN RE: ROUNDUP PRODUCTS LIABILITY LITIGATION

Opposition of plaintiff Marita Renteria to transfer of the following action to the United States District Court for the Northern District of California:

District of New Mexico

RENTERIA v. MONSANTO COMPANY, ET AL., C.A. No. 2:21–00994

MDL No. 2804 – **IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

District of Maine

EASTERN MAINE MEDICAL CENTER, ET AL. v. TEVA PHARMACEUTICALS
USA, INC., ET AL., C.A. No. 2:21–00320

Eastern District of Pennsylvania

CITY OF PHILADELPHIA v. CVS RX SERVICES, INC., ET AL., C.A. No. 2:21–04701

District of Puerto Rico

COMMONWEALTH OF PUERTO RICO v. ACTAVIS LABORATORIES FL, INC.,
C.A. No. 3:21–01535

Southern District of Texas

COUNTY OF CORYELL v. WALGREENS CO., ET AL., C.A. No. 4:21–03351
COUNTY OF KENDALL v. WALGREENS CO., ET AL., C.A. No. 4:21–03354

Western District of Wisconsin

THE CITY OF JANESVILLE v. PHARMAVENTURES, INC., ET AL.,
C.A. No. 3:21–00678

MDL No. 2846 – **IN RE: DAVOL, INC./C.R. BARD, INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Issac Montano to transfer of the following action to the United States District Court for the Southern District of Ohio:

District of New Mexico

MONTANO v. WEXFORD HEALTH SOURCES, INC., ET AL., C.A. No. 1:21–01099

MDL No. 2885 – IN RE: 3M COMBAT ARMS EARPLUG PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of Florida:

District of Minnesota

ALBURY, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02132
BUTLER, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02134
HARRIS, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02136
WEBB v. 3M COMPANY, ET AL., C.A. No. 0:21–02138
LOR, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02140
ANDREWS, ET AL. v. 3M COMPANY, ET AL., C.A. No. 0:21–02143
HEATH v. 3M COMPANY, ET AL., C.A. No. 0:21–02259

MDL No. 2913 – IN RE: JUUL LABS, INC., MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs Cristian Ali, Michael A. Lumpkins, and Denis N. Byrne, Sr., to transfer of their respective following actions to the United States District Court for the Northern District of California:

Southern District of Florida

ALI v. 7–ELEVEN, INC., C.A. No. 1:21–23588

Northern District of Illinois

LUMPKINS v. JUUL LABS, INC., ET AL., C.A. No. 1:21–05959

Southern District of New York

BYRNE v. JUUL LABS, INC., ET AL., C.A. No. 1:21–09110

MDL No. 2924 – IN RE: ZANTAC (RANITIDINE) PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs Yasmin Husrom, et al.; Randall Kmiecik; and John Dalicandro to transfer of their respective following actions to the United States District Court for the Southern District of Florida:

District of Nevada

HUSROM, ET AL. v. LAS VEGAS MEDICAL GROUP, LLC, ET AL.,
C.A. No. 2:21-01929

Eastern District of Pennsylvania

KMIECIK v. GLAXOSMITHKLINE LLC, ET AL., C.A. No. 2:21-04480
DALICANDRO v. BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL.,
C.A. No. 2:21-04482

MDL No. 3014 – IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION

Oppositions of plaintiffs Gayla Graham, et al.; Barbara Walker; and John Mack, et al., to transfer of their respective following actions to the United States District Court for the Western District of Pennsylvania:

Western District of Kentucky

GRAHAM, ET AL. v. RESPIRONICS, INC., ET AL., C.A. No. 3:21-00485

District of Massachusetts

WALKER v. PHILIPS NORTH AMERICA LLC, ET AL., C.A. No. 1:21-11669
MACK, ET AL. v. PHILIPS NORTH AMERICA LLC, ET AL., C.A. No. 1:21-11670

MDL No. 3019 – **IN RE: T-MOBILE CUSTOMER DATA SECURITY BREACH
LITIGATION**

Opposition of plaintiff James Achermann to transfer of the following action to the United States District Court for the Western District of Missouri:

Northern District of California

ACHERMANN v. T-MOBILE USA, INC., C.A. No. 3:21-08995

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard" and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process. Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.

(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

CHAIR:

Karen K. Caldwell
United States District Court
Eastern District of Kentucky

MEMBERS:

Nathaniel M. Gorton
United States District Court
District of Massachusetts

David C. Norton
United States District Court
District of South Carolina

Dale A. Kimball
United States District Court
District of Utah

Matthew F. Kennelly
United States District Court
Northern District Illinois

Roger T. Benitez
United States District Court
Southern District of California

Madeline Cox Arleo
United States District Court
District of New Jersey

DIRECT REPLY TO:

John W. Nichols
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20544-0005

Telephone: (202) 502-2800
Fax: (202) 502-2888

ADVISORY

U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

Any attorneys who need to bring a cell phone, laptop, or electronic equipment of any kind into the Courthouse must email Catherine_Wade@flsd.uscourts.gov no later than one week prior to the hearing date. Please ensure that the email contains the name of the attorney(s) and the type of electronic equipment they will be bringing into the Courthouse. If the US Marshals Service does not receive this information in advance of the hearing, the attorney(s) will not be permitted to enter the Courthouse with their equipment. [Attorneys who are members of The Florida Bar are permitted to bring electronic equipment into the Courthouse upon presentation of their Florida Bar card.] **Please note, members of the public, including non-attorney parties, are not permitted to bring in electronic equipment of any kind absent a Court order.**

Please see the Southern District of Florida's policy regarding Prohibited Electronic Devices which can be downloaded at [Prohibited Electronic Devices | Southern District of Florida | United States District Court \(uscourts.gov\)](#).

Please see and plan to abide by the Southern District of Florida's requirements regarding public access in light of COVID-19 which can be found on the court's website: [Southern District of Florida | United States District Court \(uscourts.gov\)](#).

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**FIRST AMENDMENT TO THE HEARING SESSION ORDER
AND ATTACHED SCHEDULE FILED DECEMBER 16, 2021**

IT IS ORDERED that the Notice of Hearing Session, Hearing Session Order, and attached Schedule for the hearing session on January 27, 2022, in Miami, Florida, filed by the Judicial Panel on Multidistrict Litigation on December 16, 2021, are amended to update the following:

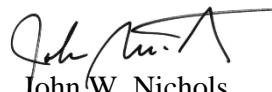
LOCATION OF HEARING SESSION: United States Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, NE
Washington, DC 20544-0005

TIME OF HEARING SESSION: **11:00 a.m. (Eastern Standard Time)**

ORAL ARGUMENT:

- **The Panel has determined that circumstances caused by the COVID-19 pandemic warrant hearing oral argument by videoconference or teleconference.** No counsel are permitted to appear in person. Further details regarding how the Hearing Session will be conducted—including sign-in information, allocation of argument times, and a training session for arguing attorneys—shall be provided the week of January 10, 2022.

FOR THE PANEL:


John W. Nichols
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

SUPPLEMENTAL NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed on December 16, 2021, and amended on January 5, 2022, supplemental notice is hereby given regarding the January 27, 2022, hearing session scheduled to consider various matters under 28 U.S.C. § 1407.

ORAL ARGUMENT:

- **THE PANEL WILL HEAR ORAL ARGUMENT BY VIDEOCONFERENCE USING THE ZOOM MEETING APP.** Oral argument will begin at **11:00 a.m.** (Eastern Standard Time.) The Panel will hear argument in the following dockets, in the following order, at this session:

MDL NO. 3021 – IN RE: SOCLEAN, INC., MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL NO. 3022 – IN RE: HARVEST ENTITIES FAIR LABOR STANDARDS ACT (FLSA) AND WAGE AND HOUR LITIGATION

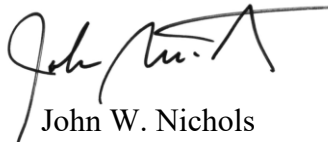
MDL NO. 3023 – IN RE: TAXOTERE (DOCETAXEL) EYE INJURY PRODUCTS LIABILITY LITIGATION

- The use of videoconference technology for presentation of oral argument is not normal Panel practice. In light of the ongoing COVID-19 pandemic, the Panel and Panel staff are making the time- and resource-intensive arrangements necessary to conduct a virtual hearing in an efficient and effective manner. The Panel plans to return to its practice of in-person hearings when it becomes practicable to do so. **To ensure the manageability of the Zoom hearing, only counsel presenting oral argument will be provided access to the videoconference.**
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may do so by completing a transcript request form at <https://www.dcd.uscourts.gov/content/request-transcript> and selecting Sara Wick as the court reporter.
- **Non-arguing counsel, members of the press, and the general public may access live audio of the oral argument by dialing (888) 204-5984 and using access code 4703654. If they cannot connect to the argument using that number and code, they should dial (877) 411-9748 and use access code 1892547. Each line has a limit of 500 callers.** All participants on the conference call will be muted and

should not attempt to unmute themselves. Participants should be aware that the conference call will not be connected to the Zoom hearing until oral argument begins, which may not occur precisely at the scheduled time. Participants will hear silence until connected to the Zoom hearing. If there is a technical issue and the conference call is disconnected, Panel staff will attempt to reinitiate the conference call promptly. If this occurs, participants should dial back into the conference call.

- **All recording of the Hearing Session is prohibited.**
- The Panel has allocated argument times for the dockets listed above for oral argument. Counsel who submitted a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument do not automatically receive argument time. Per Panel practice, argument time will be allocated to avoid multiple counsel presenting argument advocating a common position.
- **All counsel who are allocated argument time must attend one of two Zoom oral argument preparation sessions that the Panel staff will conduct during the week of January 18, 2022, with one exception.** Participation in a preparation session is not mandatory for attorneys who previously argued at a Panel Hearing conducted using Zoom and attended a preparation session. Those counsel, though, are welcome to attend a preparation session for this hearing. The purpose of these sessions is to: (a) ensure that counsel are technologically prepared to participate in the videoconference; (b) inform counsel how the Panel intends to conduct oral argument; and (c) inform counsel of the procedures and protocols they will be expected to follow during the videoconference.
- Panel staff will email counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument: (a) Oral Argument Guidelines and Instructions containing the dates, times, and login information for the Zoom oral argument preparation sessions and additional information regarding the conduct of oral argument during the videoconference and (b) the Panel's allocation of argument times.
- If counsel wish to make a substitution, either as to counsel designated to argue on behalf of a particular party or with respect to a position advocated by multiple parties, counsel must file a Notice of Substitution no later than **January 13, 2022**. After that date, no substitutions will be permitted absent extraordinary circumstances.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a stylized flourish at the end.

John W. Nichols
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION

City of Philadelphia v. CVS RX Services, Inc., et al.,)
E.D. Pennsylvania, C.A. No. 2:21-04701)

MDL No. 2804

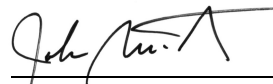
ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE JANUARY 27, 2022, HEARING SESSION ORDER

A conditional transfer order was filed in this action (*City of Philadelphia*) on October 29, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiff in *City of Philadelphia* filed a notice of opposition to the proposed transfer. Plaintiff later filed a motion and brief to vacate the conditional transfer order. The Panel has now been informed that *City of Philadelphia* was remanded to the Philadelphia Court of Common Pleas, Pennsylvania, by the Honorable Juan R. Sanchez in an order filed on January 26, 2022.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-209" filed on October 29, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as they relate to this action.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION

Eastern Maine Medical Center et al. v. Teva Pharmaceuticals)
USA Inc., et al., D. Maine, C.A. No. 2:21-00320) MDL No. 2804

**ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE JANUARY 27, 2022 HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Eastern Maine Medical Center*) on November 23, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs in *Eastern Maine Medical Center* filed a notice of opposition to the proposed transfer order. Plaintiffs later filed the motion and brief to vacate the conditional transfer order. The Panel has been advised that *Eastern Maine Medical Center* was remanded to the Superior Court of Cumberland County, Maine by the Honorable Jon D. Levy in an order filed on January 19, 2022.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-210" filed on November 23, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as it relates to this action.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: DAVOL, INC./C.R. BARD, INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY LITIGATION**

Montano v. Wexford Health Sources, Inc., et al.,)
New Mexico, C.A. No. 1:21-01099)

MDL No. 2846

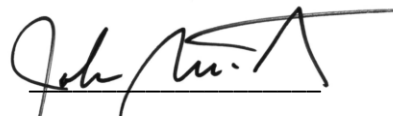
**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER
AND VACATING THE JANUARY 27, 2022 HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Montano*) on November 23, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiff in *Montano* filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-76" filed on November 23, 2021, is LIFTED insofar as it relates to this action. This action is transferred to the Southern District of Ohio for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Edmund A. Sargus, Jr.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as they relate to this matter.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", written over a horizontal line.

John W. Nichols
Clerk of the Panel

John W. Nichols
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

Lumpkins v. Juul Labs, Inc., et al.,)
N.D. Illinois, C.A. No. 1:21-05959)

MDL No. 2913

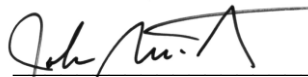
**ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE JANUARY 27, 2022, HEARING SESSION ORDER**

A conditional transfer order was filed in this action (*Lumpkins*) on November 8, 2021. Prior to expiration of that order's 7 day stay of transmission, plaintiff in *Lumpkins* filed a notice of opposition to the proposed transfer. Plaintiff later filed a motion and brief to vacate the proposed transfer order. The Panel has been informed that *Lumpkins* was remanded to Circuit Court of Cook County, Illinois, by the Honorable Matthew F. Kennelly in an order filed on December 20, 2021.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-76" filed on November 8, 2021, is VACATED insofar as it relates to this action.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as they relate to this action.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ZANTAC (RANITIDINE) PRODUCTS
LIABILITY LITIGATION

Husrom, et al. v. Las Vegas Medical Group, LLC, et al.,)
D. Nevada, C.A. No. 2:21-01929)

MDL No. 2924

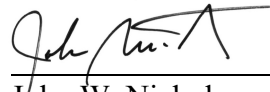
ORDER VACATING CONDITIONAL TRANSFER ORDER
AND VACATING THE JANUARY 27, 2022, HEARING SESSION ORDER

A conditional transfer order was filed in this action (*Husrom*) on November 1, 2021. Prior to expiration of that order's 7-day stay of transmittal, plaintiffs in *Husrom* filed a notice of opposition to the proposed transfer. Plaintiffs later filed a motion and brief to vacate the conditional transfer order. The Panel has now been informed that *Husrom* was remanded to the Eighth Judicial District Court of Clark County, Nevada, by the Honorable James C. Mahan in an order filed on January 26, 2022.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-80" filed on November 1, 2021, is VACATED insofar as it relates to this action.

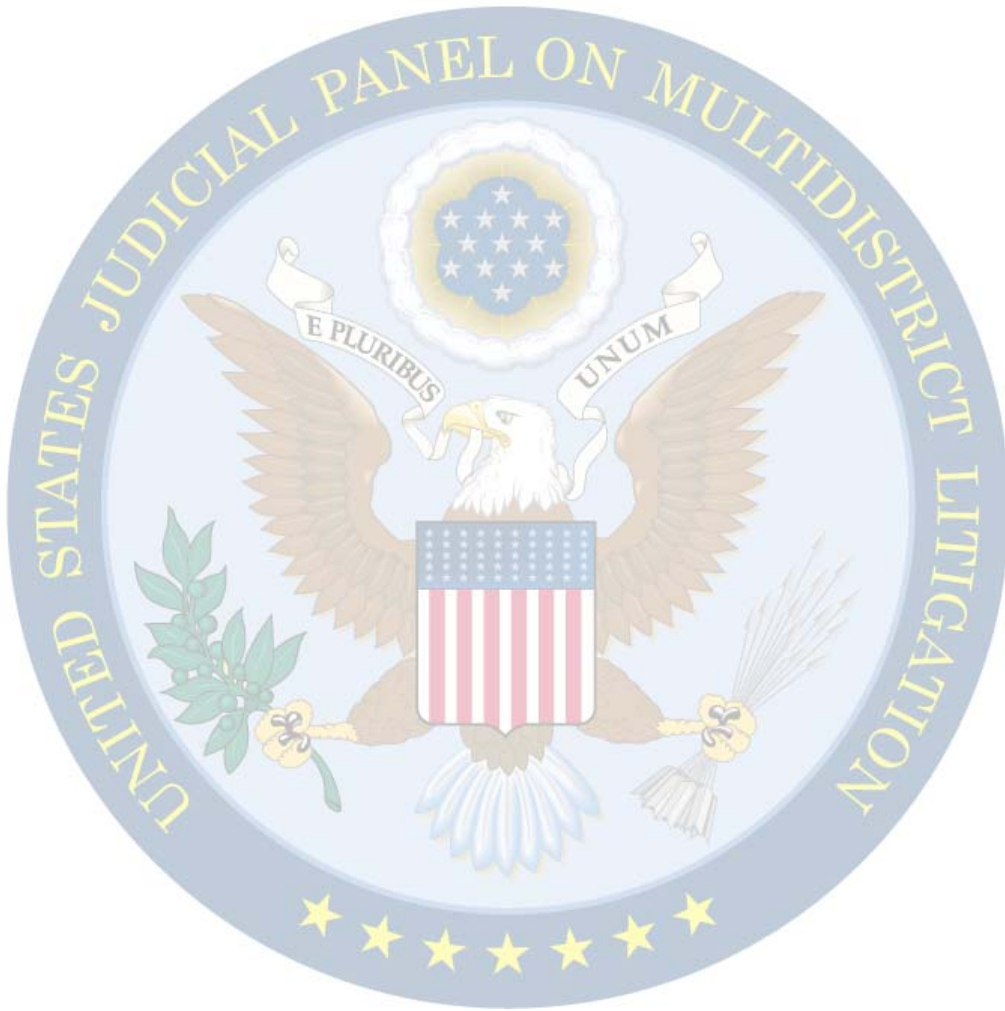
IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on December 16, 2021, are VACATED insofar as they relate to this action.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

Hearing Session Order & Amendments



March 31, 2022

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **March 31, 2022**

LOCATION OF HEARING SESSION: Hale Boggs Federal Building
United States Courthouse
Room C501
500 Poydras Street
New Orleans, Louisiana 70130

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for Transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT:

- The Panel continues to monitor the ongoing COVID-19 pandemic. **At present, the Panel intends to hear oral argument in person, but reserves the option to hear oral argument by videoconference or teleconference should circumstances warrant.** Allocations of argument time will be made before the Hearing (using procedures employed at recent Panel hearings conducted by videoconference) such that counsel will be informed in advance of the hearing whether they are allocated time to argue. Allocations will not be made or changed at the Hearing. Further details regarding how the Hearing Session will be

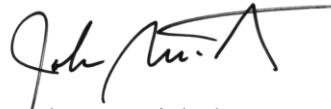
-2-

conducted shall be provided after the filing of the parties' Notices of Presentation or Waiver of Oral Argument.

- The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions including those concerning an appropriate transferee district. Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.
- The Panel expects attorneys presenting oral argument to be prepared to discuss what steps they have taken to pursue alternatives to centralization including, but not limited to, engaging in informal coordination of discovery and scheduling, and seeking Section 1404 transfer of one or more of the subject cases.

For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **March 7, 2022**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a stylized flourish extending from the end.

John W. Nichols
Clerk of the Panel

cc: Clerk, United States District for the Eastern District of Louisiana

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on March 31, 2022, the Panel will convene a hearing session in New Orleans, Louisiana, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

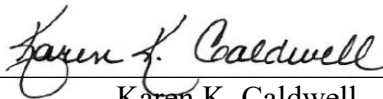
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c). **Oral argument will be heard in person unless the Panel determines that circumstances caused by the COVID-19 pandemic warrant hearing argument by videoconference or teleconference.** Should the Panel determine that oral argument is to be conducted by videoconference or teleconference, the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this decision to counsel for all parties involved in the matters listed on the attached Schedule.

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(b), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION



Karen K. Caldwell
Chair

Nathaniel M. Gorton
David C. Norton
Dale A. Kimball

Matthew F. Kennelly
Roger T. Benitez
Madeline Cox Arleo

SCHEDULE OF MATTERS FOR HEARING SESSION
March 31, 2022 -- New Orleans, Louisiana

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

**MDL No. 3024 – IN RE: ATRIUM MEDICAL CORPORATION PROLITE AND
PROLOOP HERNIA MESH PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Jose Avila, et al., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

AVILA, ET AL. v. ATRIUM MEDICAL CORPORATION, ET AL.,
C.A. No. 2:21–05223

District of New Jersey

MILLS v. ETHICON, INC., ET AL., C.A. No. 2:17–12624

District of New Mexico

AGUIRRE v. ATRIUM MEDICAL CORPORATION, ET AL., C.A. No. 2:18–00153

Western District of Wisconsin

KOLBECK v. ATRIUM MEDICAL CORPORATION, ET AL.,
C.A. No. 3:21–00776

**MDL No. 3025 – IN RE: PROCTER & GAMBLE AEROSOL PRODUCTS MARKETING
AND SALES PRACTICES LITIGATION**

Motion of defendant The Procter & Gamble Company to transfer the following actions to the United States District Court for the Southern District of Florida:

Central District of California

QUINONES v. THE PROCTER & GAMBLE COMPANY, C.A. No. 2:21–09595

Eastern District of California

AVILES, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 2:21-02108

Southern District of California

CANADAY v. THE PROCTER & GAMBLE COMPANY, C.A. No. 3:21-02024

Southern District of Florida

BRYSKI v. THE PROCTER & GAMBLE COMPANY, C.A. No. 0:21-62285
LEYVA, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 4:21-10108

Eastern District of New York

TOPOREK v. THE PROCTER & GAMBLE COMPANY, C.A. No. 2:21-06185

Southern District of New York

DELCID v. THE PROCTER & GAMBLE COMPANY, C.A. No. 1:21-09454

Southern District of Ohio

VELASQUES, ET AL. v. THE PROCTER & GAMBLE COMPANY,
C.A. No. 1:21-00723
BAKER, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 1:21-00734
ESQUIVEL, ET AL. v. THE PROCTER & GAMBLE COMPANY, C.A. No. 1:21-00762

District of Oregon

LYLE v. THE PROCTER & GAMBLE COMPANY, C.A. No. 3:21-01760

**MDL No. 3026 – IN RE: ABBOTT LABORATORIES, ET AL., PRETERM INFANT
NUTRITION PRODUCTS LIABILITY LITIGATION**

Motion of defendants Abbott Laboratories and Abbott Laboratories, Inc., to transfer the following actions to the United States District Court for the District of Connecticut:

Central District of California

RICHARDSON v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 2:21-09932
DAVIS v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 5:21-00481
KELTON v. ABBOTT LABORATORIES, INC., C.A. No. 5:21-02145
LITTLES v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 5:21-02146

District of Connecticut

HUNTE, ET AL. v. ABBOTT LABORATORIES, INC., C.A. No. 3:20–01626

District of District of Columbia

GEORGE v. ABBOTT LABORATORIES, INC., C.A. No. 1:20–02537

Middle District of Florida

SANCHEZ JUAN v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 6:21–00502

Northern District of Florida

CRAWFORD v. MEAD JOHNSON & COMPANY, ET AL., C.A. No. 1:21–00201

Northern District of Illinois

HALL v. ABBOTT LABORATORIES, C.A. No. 1:22–00071

RINEHART, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00192

GSHWEND, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00197

TAYLOR, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00203

STUPER, ET AL. v. ABBOTT LABORATORIES, ET AL., C.A. No. 1:22–00204

MAR v. ABBOTT LABORATORIES, C.A. No. 1:22–00232

RHODES v. ABBOTT LABORATORIES, C.A. No. 1:22–00239

Middle District of Louisiana

BROWN, ET AL. v. ABBOTT LABORATORIES, INC., ET AL., C.A. No. 3:21–00687

**MDL No. 3027 – IN RE: COLUMBIA RIVER DAMS CLEAN WATER ACT
LITIGATION (NO. II)**

Motion of plaintiff Columbia Riverkeeper to transfer the following actions to the United States District Court for the Eastern District of Washington:

District of Oregon

COLUMBIA RIVERKEEPER v. UNITED STATES ARMY CORPS OF ENGINEERS,
ET AL., C.A. No. 2:21–01777

Eastern District of Washington

COLUMBIA RIVERKEEPER v. UNITED STATES ARMY CORPS OF ENGINEERS,
ET AL., C.A. No. 4:21–05152

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

**MDL No. 2179 – IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN
THE GULF OF MEXICO, ON APRIL 20, 2010**

Opposition of plaintiff Marina Law to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Southern District of Alabama

LAW v. BP EXPLORATION & PRODUCTION, INC., ET AL., C.A. No. 1:21-00520

**MDL No. 2244 – IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT
PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Guy Monical, Tobi Altholz, and Ganita Shelnutt to transfer of their respective following actions to the United States District Court for the Northern District of Texas:

District of New Jersey

MONICAL v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21-20202
ALTHOLZ v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21-20768
SHELNUTT v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21-20777

MDL No. 2804 – IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION

Opposition of plaintiff City of Holly Springs to transfer of the *City of Holly Springs* action to the United States District Court for the Northern District of Ohio and motion of defendant Endo Pharmaceuticals Inc. to transfer the *Taylor* action to the United States District Court for the Northern District of Ohio:

Northern District of Mississippi

CITY OF HOLLY SPRINGS v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:21-00246

Eastern District of Pennsylvania

TAYLOR v. ENDO PHARMACEUTICALS, INC., C.A. No. 2:21-04276

MDL No. 2816 – **IN RE: SORIN 3T HEATER–COOLER SYSTEM PRODUCTS
LIABILITY LITIGATION (NO. II)**

Opposition of plaintiff Patricia Napier to transfer of the following action to the United States District Court for the Middle District of Pennsylvania:

Southern District of Ohio

NAPIER v. LIVANOVA DEUTSCHLAND GMBH, ET AL., C.A. No. 1:21–00739

MDL No. 2873 – **IN RE: AQUEOUS FILM–FORMING FOAMS PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiff Marathon Petroleum Company LLP to transfer of the *Marathon Petroleum Company LLP* action to the United States District Court for the District of South Carolina and motion of defendant Daikin America, Inc. to transfer the *Johnson* action to the United States District Court for the District of South Carolina:

Northern District of Georgia

JOHNSON v. 3M COMPANY, ET AL., C.A. No. 4:20–00008

Eastern District of Michigan

MARATHON PETROLEUM COMPANY LP v. 3M COMPANY, ET AL.,
C.A. No. 2:22–10117

MDL No. 2945 – **IN RE: AHERN RENTALS, INC., TRADE SECRET LITIGATION**

Opposition of defendants Ahern Rentals, Inc., and Don F. Ahern to transfer of the following action to the United States District Court for the Western District of Missouri:

District of Nevada

EQUIPMENTSHARE.COM, INC. v. AHERN RENTALS INC., ET AL.,
C.A. No. 2:21–01916

MDL No. 3014 – **IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND
MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Roger Traversa to transfer of the following action to the United States District Court for the Western District of Pennsylvania:

Eastern District of Pennsylvania

TRAVERA v. KONINKLIJKE PHILIPS N.V., ET AL., C.A. No. 2:21–05674

MDL No. 3014 – **IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND
MECHANICAL VENTILATOR PRODUCTS LIABILITY LITIGATION**

MDL No. 3021– **IN RE: SOCLEAN, INC., MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

Motion of defendants Philips RS North America LLC and Philips North America LLC to transfer of the following action to the United States District Court for the Western District of Pennsylvania in MDL No. 3014 and oppositions of plaintiff SoClean, Inc., and Anthony Sakalarios; Jesse Judson Brooks, Sr.; and Thomas N. Herbert to transfer of the following action to the United States District Court for the Western District of Pennsylvania in MDL No. 3021:

District of Massachusetts

SOCLEAN, INC. v. KONINKLIJKE PHILIPS N.V., ET AL., C.A. No. 1:21–11662

RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard" and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

(i) the dispositive issue(s) have been authoritatively decided; or

(ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process. Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision on the basis of the pleadings filed.

(i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.

(ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

CHAIR:

**Karen K. Caldwell
United States District Court
Eastern District of Kentucky**

MEMBERS:

**Nathaniel M. Gorton
United States District Court
District of Massachusetts**

**David C. Norton
United States District Court
District of South Carolina**

**Dale A. Kimball
United States District Court
District of Utah**

**Matthew F. Kennelly
United States District Court
Northern District Illinois**

**Roger T. Benitez
United States District Court
Southern District of California**

**Madeline Cox Arleo
United States District Court
District of New Jersey**

DIRECT REPLY TO:

**John W. Nichols
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20544-0005**

**Telephone: (202) 502-2800
Fax: (202) 502-2888**

ADVISORY

Counsel appearing for oral argument before the Panel may bring cell phones and laptop computers into the courthouse. All cell phones must be turned off before entering the courtroom.

Everyone entering the courthouse must present photo identification.

Please see and plan to abide by the Eastern District of Louisiana's requirements regarding public access in light of COVID-19 which can be found on the court's website:
<https://www.laed.uscourts.gov>.

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

SUPPLEMENTAL NOTICE OF HEARING SESSION

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed on February 14, 2022, supplemental notice is hereby given regarding the March 31, 2022, hearing session scheduled to consider various matters under 28 U.S.C. § 1407.

ORAL ARGUMENT:

- Counsel presenting oral argument must be present at **8:30 a.m.** Oral argument will begin at **9:30 a.m.** (All times are Central Daylight Time.) The Panel will hear argument in the following dockets, in the following order, at this session:

MDL NO. 3024 – IN RE: ATRIUM MEDICAL CORPORATION
PROLITE AND PROLOOP HERNIA MESH PRODUCTS LIABILITY
LITIGATION

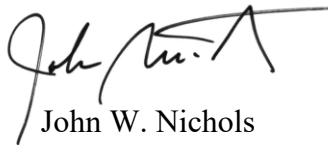
MDL NO. 3025 – IN RE: PROCTER & GAMBLE AEROSOL
PRODUCTS MARKETING AND SALES PRACTICES LITIGATION

MDL NO. 3026 – IN RE: ABBOTT LABORATORIES, ET AL.,
PRETERM INFANT NUTRITION PRODUCTS LIABILITY
LITIGATION

- Please review and plan to abide by the Eastern District of Louisiana's requirements regarding public access in light of COVID-19 which can be found on the court's website: <https://www.laed.uscourts.gov>. Full compliance with the District's protocols may take some time. Please plan ahead—**the Panel will not delay argument because counsel is late to the courtroom due to the District's courthouse admittance procedures.**
- Counsel are advised that the District's COVID-19 procedures may limit the number of persons permitted in the courtroom. **In order to limit the number of counsel required in the courtroom, the Panel will allocate argument time in advance.** The Panel will not entertain arguments on the day of the hearing that counsel not allocated time be allowed to present argument. Non-arguing counsel need not travel to the Panel hearing, but if they choose to do so, their access to the courtroom may be restricted. If the Panel must restrict access to the courtroom, non-arguing counsel will be allowed to observe the proceedings by closed circuit link in an overflow courtroom.

- All persons, including counsel and associated attendees, must wear masks in the courtroom and the overflow courtroom, regardless of vaccination status, unless instructed otherwise by the Panel.
- Counsel will not be permitted to appear remotely.
- A transcript of the oral argument will be filed in each docket when it becomes available. Parties who wish to order a transcript may do so by contacting the court reporter at Nichelle.Wheeler@laed.uscourts.gov.
- Panel staff will email counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present oral argument the Panel's allocation of argument times. As indicated above, counsel who have not been allocated time may not be permitted to access the courtroom.
- If counsel wish to make a substitution, either as to counsel designated to argue on behalf of a particular party or with respect to a position advocated by multiple parties, counsel must file a Notice of Substitution no later than **March 17, 2022**. After that date, no substitutions will be permitted absent extraordinary circumstances.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "John W. Nichols", with a long horizontal stroke extending to the right.

John W. Nichols
Clerk of the Panel