

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 April 24, 2020, supplemental notice is hereby given regarding the May 28, 2020, 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 9:30 a.m.
- **Counsel who filed a Notice of Presentation or Waiver of Oral Argument and indicated an intent to present 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 Bryan A. Wayne as the court reporter.
- Additionally, an audio recording of the oral argument will be made available on the Panel website after the Hearing Session has concluded. **All other recording of the Hearing Session is prohibited.**
- The Panel has allocated argument times for the dockets listed on Schedule A of the initial Notice of Hearing Session:

MDL No. 2936 – IN RE: SMITTY’S/CAM2 303 TRACTOR HYDRAULIC FLUID MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL No. 2938 – IN RE: EVENFLO COMPANY, INC., MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL No. 2939 – IN RE: FAMILY DOLLAR STORES, INC., ACCESS FOR INDIVIDUALS WITH DISABILITIES LITIGATION

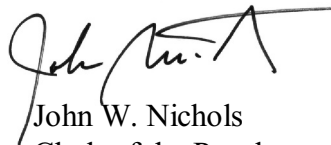
MDL No. 2940 – IN RE: DEVACURL HAIR CARE PRODUCTS MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

MDL No. 2941 – IN RE: NINE WEST LBO SECURITIES LITIGATION

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 duplicative argument advocating a common position.

- **All counsel who are allocated argument time will be required to attend one of four Zoom oral argument preparation sessions that the Panel staff will conduct during the week of May 18, 2020.** 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) the dates and times of the Zoom oral argument preparation sessions; (b) login information for those sessions; (c) additional information regarding the conduct of oral argument during the videoconference; and (d) 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 **May 15, 2020**. After that date, no substitutions will be permitted absent extraordinary circumstances.

FOR THE PANEL:



John W. Nichols
Clerk of the Panel