

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

In re: PARAQUAT PRODUCTS
LIABILITY LITIGATION

Case No. 3:21-MD-3004-NJR

This Document Relates to All Cases

MDL No. 3004

CASE MANAGEMENT ORDER NO. 7

ROSENSTENGEL, Chief Judge:

The undersigned issues this seventh Case Management Order to implement the form and application of the Plaintiff's Assessment Questionnaire, hereby known as "PAQ" (*see* Exhibit 1) and the Plaintiff's Fact Sheet, hereby known as "PFS" (*see* Exhibit 2) in this litigation.

The PAQ includes document requests and three written authorizations for the release of records, "Authorizations" (*see* Exhibit 3). The PFS includes document requests and six additional written authorizations for the release of records that are not included with the PAQ "Authorizations" (*see* Exhibit 4).

This Order applies to all Plaintiffs and Defendants and their counsel in: (a) all actions transferred to *In re: Paraquat Products Liability Litigation* ("MDL 3004") by the Judicial Panel on Multidistrict Litigation ("JPML") pursuant to its Orders dated June 8, 2021, June 17, 2021, June 21, 2021, June 24, 2021, and July 7, 2021, and (b) to all related actions directly filed in or removed to this Court.

The Court hereby adopts the PAQ and requires that it be completed by all filed Plaintiffs in the MDL. The Court anticipates later issuing an Order regarding trial case

selection and will require the PFS to be completed by those Plaintiffs. The Special Master shall work with the parties and propose guidelines and protocols for the PFS at the time of trial selection as ordered by this Court.

This Order also directs Special Master Randi Ellis, pursuant to her appointment in CMO No. 4, to propose an implementation order for the Court to review by no later than **September 10, 2021**, that shall accomplish the following:

1. Establish deadlines for the PAQ and its required document production.
2. Establish rules and requirements for the execution of authorizations.
3. Establish guidelines determining the substantial completeness of the PAQ.
4. Establish both a deficiency and objection resolution protocol for the PAQ.
5. Establish a service protocol for the PAQ.
6. Establish an efficient online platform for data management for the entry, storage, and maintenance of the PAQ that will be available to counsel for all parties; and
7. Advise the Court on the status of the Proposed Defendants' Fact Sheet (DFS) and its implementation of the DFS.

The Court sincerely appreciates the efforts of all counsel and reminds the parties to continue to work efficiently and collaboratively with Special Master Ellis.

IT IS SO ORDERED

DATED: September 3, 2021

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive style. Behind the signature is a circular seal of the United States District Court for the Southern District of New York. The seal features a central shield with a scale of justice and a sword, surrounded by the text "U.S. DISTRICT COURT" and "SOUTHERN DISTRICT OF NEW YORK".

NANCY J. ROSENSTENGEL
Chief U.S. District Judge