

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard Implanted Port Catheter
Products Liability Litigation

MDL No. 3081

CASE MANAGEMENT ORDER NO. 36
**(Seventeenth Case Management
Conference)**

(Applies to All Actions)

The Court held a Seventeenth Case Management Conference with the parties on June 3, 2025. *See* Doc. 3762. This order reflects matters discussed and decided during the conference.

1. The Court will hold an Eighteenth Case Management Conference on **July 15, 2025 at 2:00 p.m.** Arizona time. The conference will be held by Zoom. By close of business on **July 11, 2025**, the parties shall file a joint memorandum.

2. The parties set forth their respective positions on the order of bellwether trials in their joint memorandum. Doc. 3758 at 2-5. As discussed at the conference, the bellwether trials will be held in the following order: (1) Robert Cook, 23-cv-01975; (2) Wanda Miller, 24-cv-00621; (3) May Lattanzio, 24-cv-00680; (4) Kimberly Divelbliss, 23-cv-01627; (5) Judy Hicks, 23-cv-01703; and (6) Lloyd Sorensen, 23-cv-02557. The Court anticipates that the first trial (Cook) will begin in mid- to late-February 2026, with

at least several weeks between each trial. The parties shall propose a schedule for the trials in the joint memorandum for the case management conference to be held in August 2025.

3. The Court grants Defendants' request for a 90-day extension of the discovery period for Divelbliss, 23-cv-01627. *Id.* at 5-7. That schedule is amended as follows:

DIVELBLISS SCHEDULE

| <u>Action</u> | <u>Current Deadline</u> | <u>New Deadline</u> |
|---|-------------------------|---------------------------|
| Plaintiffs' case-specific expert disclosures: | July 2, 2025 | September 30, 2025 |
| Defendants' case-specific expert disclosures: | July 30, 2025 | October 28, 2025 |
| Case-specific rebuttal expert disclosures: | August 22, 2025 | November 20, 2025 |
| Case-specific expert depositions begin: | August 25, 2025 | November 24, 2025 |
| Case-specific fact witness depositions: | September 19, 2025 | December 18, 2025 |
| Case-specific expert depositions: | October 3, 2025 | January 2, 2026 |
| Case-specific motions: | October 28, 2025 | January 27, 2026 |
| Responses to case-specific motions: | November 25, 2025 | February 23, 2026 |
| Replies to case-specific motions: | December 9, 2025 | March 9, 2026 |

4. As noted in the parties' joint memorandum, the motion to quash subpoena and the motion to transfer in the Dow case remain pending in the Eastern District of Michigan (Case No. 1:25-mc-50209-TLL-PTL). *Id.* at 7. The Court heard oral argument on the motion to quash subpoena in the DuPont case and ruled on the motion in a separate order. *See* Doc. 23, 25-cv-01922 (formerly 25-mc-00007).

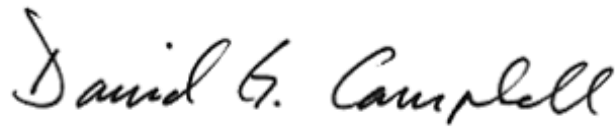
5. The Court will issue an order compelling Plaintiff Brandon Mays (o/b/o Joseph Mays), 25-cv-01088, to fully comply with Second Amended CMO 8 by **June 17, 2025**. *See* Doc. 3758 at 12-13.

6. By **July 15, 2025**, Defendants shall provide complaint files for the following 14 cases (*see id.* at 13-15):

- Kimberly Blackston, 24-cv-03548
- Kelly Claussen, 24-cv-03179

- Lisandra Cortes, 24-cv-03563
- Tina Cowell, 24-cv-03511
- Tawana Davis, 24-cv-03549
- Cecilia Hall, o/b/o Cecil Ward, 24-cv-03130
- Courtney Hall, 25-cv-00046
- Anthony Johnson, 24-cv-03658
- Ann Otzenberger, 25-cv-00149
- Linda Palmer-Essex, 24-cv-03660
- Anthony Ruark, 24-cv-03512
- Theodore Schmits, 24-cv-03551
- Brandy Terrell, 24-cv-03513
- Jodi Wenzlick, 25-cv-00095

Dated this 4th day of June, 2025.



David G. Campbell
Senior United States District Judge