

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re: PARAGARD IUD)	MDL <u>DOCKET NO. 2974</u>
PRODUCTS LIABILITY)	Case No. 1:20-md-02974-LMM
LITIGATION)	
)	This Document Relates
)	To All Cases

CASE MANAGEMENT ORDER REGARDING CHOICE OF LAW

The parties have agreed and the Court hereby ORDERS as follows:

1. For cases transferred to the MDL from another federal district court pursuant to 28 U.S.C. § 1407, the choice-of-law analysis for the state where the transferor court is located shall apply, unless the case was filed in a court of improper venue or jurisdiction. If the case was filed in a court of improper venue or jurisdiction, Defendants may challenge the application of that state's choice-of-law analysis.

2. For cases filed directly in the MDL pursuant to the Case Management Order Regarding Direct Filing, the choice-of-law analysis for the state where the District Court and Division identified in Question 7 of the Short Form Complaint is located shall apply, unless the Plaintiff has identified a court of improper venue or jurisdiction. If the Plaintiff has identified a court of improper venue or jurisdiction, Defendants may challenge the application of that state's choice-of-law analysis.

3. For cases filed directly in the MDL pursuant to the Case Management Order Regarding Direct Filing, Plaintiff may not alter the applicable choice-of-law analysis by amending Question 7 to the Short-Form Complaint, except as follows:


- a. Within 120 days of this Order, Plaintiffs with filed cases who believe they have identified a court of improper venue or jurisdiction in Question 7 to the Short-Form Complaint may request Defendants' consent to amend Question 7 to the Short-Form Complaint. Plaintiffs may only seek to amend Question 7 if they believe that the court identified did/does not have venue or jurisdiction. Defendants shall respond within 30 days of each such request from a Plaintiff. Within 30 days of Defendants' response, Plaintiffs who believe they have identified a court of improper venue or jurisdiction may file a motion to amend Question 7 of their Short-Form Complaint, indicating whether it is opposed.
- b. For cases filed after the date of this Order, Plaintiffs may not alter the applicable choice-of-law analysis by amending Question 7 to the Short-Form Complaint.

4. No Party may file a motion that requires the Court to resolve the issue of what law applies to a particular case until after the completion of the initial

Bellwether trials, except in cases where the applicable law is not reasonably in dispute.

5. The deadlines in this CMO may only be altered by leave of Court for good cause shown.

IT IS SO ORDERED this 6th day of June, 2024.


LEIGH MARTIN MAY
UNITED STATES DISTRICT JUDGE