

234IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL No. 2724
Case No. 2:16-MD-02724**

THIS DOCUMENT RELATES TO:

Hon. Cynthia M. Rufe

ALL ACTIONS

**PRETRIAL ORDER NO. 234
(AMENDING PRETRIAL ORDER NO. 217 AS TO
SCHEDULE OF PROCEEDINGS IN BELLWETHER CASES)**

AND NOW, this 9th day of May 2023, upon agreement of the affected parties, and with regard to the Bellwether Cases only, it is hereby **ORDERED** that the deadlines for the Bellwether Cases set forth in Pretrial Order No. 217 [MDL Doc. No. 2244], and previously set forth in Pretrial Order No. 188 [MDL Doc. No. 1901], are **AMENDED** as follows:

1. Fact discovery shall be completed no later than **October 2, 2023**.
2. The parties shall resolve any disputes about page limits for class certification and submit to the Court a joint stipulation or competing proposed Orders no later than **October 2, 2023**.
3. Plaintiffs shall serve all expert reports and file applicable motions for class certification no later than **November 1, 2023**.
4. The parties shall resolve any disputes about page limits for *Daubert* briefing and submit to the Court a joint stipulation or competing proposed Orders no later than **January 3, 2024**.
5. Depositions of Plaintiffs' experts shall be completed no later than **January 12, 2024**.
6. Defendants shall serve all expert reports and file responses to motions for class certification (with any expert reports in support thereof) and *Daubert* motions as to Plaintiffs' experts no later than **February 2, 2024**.
7. Depositions of Defendants' experts shall be completed no later than **April 12, 2024**.
8. Plaintiffs shall serve all rebuttal expert reports and file replies in support of class certification, responses to Defendants' *Daubert* motions, and *Daubert* motions as to Defendants' experts no later than **May 3, 2024**.
9. The parties shall resolve any disputes about page limits for summary judgment

briefing and submit to the Court a joint stipulation or competing proposed Orders no later than **May 24, 2024** for the States' bellwether case and no later than **June 28, 2024** for the DPPs' and EPPs' bellwether cases.

10. Depositions of Plaintiffs' new rebuttal experts, if any, shall be completed no later than **June 7, 2024**.
11. Defendants shall file sur-replies in opposition to class certification and responses in opposition to Plaintiffs' *Daubert* motions no later than **June 17, 2024**.
12. Plaintiffs shall file any further replies in support of class certification no later than **July 3, 2024**.
13. The Court will schedule hearings on class certification and *Daubert* motions for dates to be determined in **August 2024**.
14. All motions for summary judgment regarding the States' bellwether case shall be filed no later than **June 28, 2024**.
15. All motions for summary judgment regarding the DPPs' and EPPs' bellwether cases shall be filed no later than **August 2, 2024**.
16. Responses to a motion for summary judgment shall be filed 60 days after the motion is filed, *i.e.*, no later than **August 27, 2024** for the States' bellwether case and **October 1, 2024** for the DPPs' and EPPs' bellwether cases.
17. Replies to a motion for a summary judgment shall be filed 30 days after the response is filed, *i.e.*, no later than **September 26, 2024** for the States' bellwether case and **October 31, 2024** for the DPPs' and EPPs' bellwether cases.
18. Oral argument on motions for summary judgment will be scheduled at the discretion of the Court.
19. Pretrial planning conferences, including with regard to *Lexecon* and the State Antitrust Enforcement Venue Act (to the extent applicable), will be scheduled at a later time in consultation with counsel.
20. Witnesses, including expert witnesses, shall be deposed no more than once, unless by agreement of the parties or by order of the Court for good cause shown. All disputes regarding depositions, including the length of the deposition of a particular witness, are referred in the first instance to the Special Discovery Master and whenever possible should be resolved before the witness is deposed.

It is so **ORDERED**.

BY THE COURT

/s/ **Cynthia M. Rufe**

CYNTHIA M. RUFÉ, J.