

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

IN RE: GLUCAGON-LIKE	:	
PEPTIDE-1 RECEPTOR AGONISTS	:	CIVIL ACTION
(GLP-1 RAS) NON-ARTERITIC	:	
ANTERIOR ISCHEMIC OPTIC	:	
NEUROPATHY PRODUCTS	:	MDL No. 3163
LIABILITY LITIGATION	:	25-md-3163
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	:	
THIS DOCUMENT RELATES TO:	:	HON. KAREN SPENCER MARSTON
	:	
<i>ALL ACTIONS/ALL CASES</i>	:	
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CASE MANAGEMENT ORDER NO. 1

Initial Case Management Conference

AND NOW, this 23rd day of December, 2025, with respect to this MDL No. 3163, it is
ORDERED as follows:

I. Scope

This Order shall govern all cases (1) transferred to this Court by the Judicial Panel on Multidistrict Litigation (the “JPML”), pursuant to its Order of December 15, 2025, (2) any tag-along actions subsequently transferred to this Court by the JPML, and (3) all related cases originally filed in this Court or transferred or removed to this Court.

All subsequent orders of this Court with the designation “All Cases” or “All Actions” entered in MDL No. 3163 will likewise apply to all cases that are, or become, part of this MDL, regardless of whether that case was part of MDL No. 3163 when the order was entered.

All counsel should promptly familiarize themselves with the Manual for Complex Litigation, the local civil rules for the Eastern District of Pennsylvania, and the undersigned’s

Policies and Procedures, which are available on the Court's website.¹ They will be applied throughout this litigation.

II. Extension and Stay

At this time, and until further order of the Court, the parties are relieved from compliance with deadlines for filing or responding to a filing that would otherwise be applicable at this stage of the litigation. For the avoidance of doubt, this Order stays the time for Defendants to respond by motion or answer to the complaint(s), and the time for Plaintiffs to respond to any motion currently pending in any case consolidated as part of this MDL No. 3163.

Pending the initial conference and further orders of this Court, all outstanding discovery proceedings are stayed, and no further discovery shall be initiated.

III. Position Statements

Plaintiffs and Defendants shall submit to the Court by email to PAED_MDL_GLP1_RA@paed.uscourts.gov a brief written statement indicating their preliminary understanding of the facts involved in the litigation and the critical factual and legal issues. The statements should not be filed and are not binding. Their submission will not waive claims or defenses and may not be offered in evidence against a party in later proceedings. The parties' statements should list all pending motions in the cases included in this MDL No. 3163, as well as all related cases pending in state or federal court, together with their current status, including any discovery taken to date, to the extent known. All Plaintiffs shall file a single

¹ The local civil rules applicable in this District are available here:
<https://www.paed.uscourts.gov/local-rules/Local%20Civil%20Rules>

And the undersigned's policies and procedures are available here:
<https://www.paed.uscourts.gov/judges-info/district-court-judges/karen-s-marston>

statement; the Novo Nordisk Defendants shall file a single statement; and the Eli Lilly Defendants shall file a single statement. The statements shall be submitted by **January 8, 2025**.

IV. Organizational Conference for Counsel with the Court

A. Conference Date and Location

The Court has set an initial in-person conference for all parties' counsel for **January 13, 2026 at 11:00 a.m.** in Courtroom 16B in the United States Courthouse at 601 Market Street, Philadelphia, PA 19106. In person attendance is preferred; however, the Court will allow remote attendance for this initial conference on a case-by-case basis for good cause shown.

B. Conference Agenda

The primary agenda for the initial conference has not been set. That said, the Court anticipates discussing the following topics:

1. Initial census: The Court is interested in generating an initial census in this litigation in helping to manage the case from the outset. To that end, this topic will include consideration for the content and timing of the initial census in this litigation.
2. Use of similar orders in MDL No. 3094: This topic includes consideration of whether preliminary matters, including initial case management orders, in this MDL No. 3163 should follow a similar format to those orders used in MDL No. 3094.
3. Organization of counsel: This topic includes discussion of the process for selecting plaintiffs' lead counsel; the responsibilities of lead counsel; the establishment of a plaintiffs' steering committee; the allocation of tasks and responsibilities for non-lead counsel; and the selection of liaison counsel. This topic may also include consideration of the effect, if any, that the related litigation in MDL No. 3094 and in various state courts should have when it comes to appointing lead and liaison counsel.

4. Plaintiffs' counsel expenses: This topic includes consideration of when the Court should establish a common benefit fund and enter a protocol to govern reimbursement of fees and expenses incurred by members of Plaintiffs' leadership.

5. Status conferences: This topic includes discussion of the frequency and format for periodic conferences and the duties of counsel to meet and confer prior to such conferences. The Court anticipates following a format similar to the one currently in place for MDL No. 3094, i.e., weekly telephone conferences without a set agenda and monthly in person conferences with a set agenda.

6. Segmenting the cases: This topic includes discussion of the possible need to group individual cases by medication, manufacturer, or molecule.

7. New filings, amendments to complaints, and challenges to sufficiency of pleadings: This topic is intended to prompt discussion of managing new filings (including the potential need for master pleadings) and of setting a schedule for filing, responding to, and presenting motion(s) to dismiss. This topic also includes discussion of the prompt filing of a case management order to govern direct filing and service in this MDL No. 3163.

8. Motions: The Court will consider various alternative procedures for filing, responding to, and holding hearing(s) on motions. In general, motion practice will follow the applicable federal and local rules except as otherwise provided by future orders.

9. Desirability, timing, and requirements for Plaintiff Fact Sheets

10. Discovery schedule: This topic includes discussion of the need or desirability of bifurcation of certain issues for early consideration and/or a process for proceeding in bellwether fashion. It also should prompt discussion of the extent to which discovery in this action can be coordinated with ongoing discovery in MDL No. 3094 and/or in various state courts.

* * *

The foregoing is not an exhaustive list of the matters that will be addressed at the January conference. Counsel are encouraged to meet and confer with each other in anticipation of the conference. Any counsel may individually or on a joint basis suggest additional agenda items. Any suggestions should be submitted no later than **January 7, 2026**. The Court will circulate the final agenda on **January 9, 2026**.

IT IS SO ORDERED.

/s/Karen Spencer Marston

KAREN SPENCER MARSTON, J.