UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: BABY FOOD PRODUCTS
LIABILITY LITIGATION

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This Document Relates To:

ALL ACTIONS

Case No.3:24-md-03101-JSC

MDL 3101

**PRETRIAL ORDER NO. 2: ORDER
APPOINTING LEADERSHIP AND
STEERING COMMITTEE MEMBERS**

The Court has received a number of applications for Plaintiffs' leadership positions in this

MDL. Having considered the diversity and number of cases filed (or anticipated to be filed) in this

MDL, the claims and injuries asserted in those cases, and having had the opportunity to hear from the

applicants on May 16, 2024, the Court APPOINTS the following individuals to the Plaintiffs' Steering

Committee of this MDL.

CO-LEAD COUNSEL: Aimee Wagstaff and Robert Brent Wisner.

PLAINTIFFS' LIAISON COUNSEL: Monique Alarcon.

PLAINTIFFS' STEERING COMMITTEE: Timothy Jackson, Laura Stemkowski, Anthony

Russo, William Sykes, Mary Raybon, Mark DiCello, William Smith, Madeleine Clavier, Diane

Watkins, Emily DeVuono, Joseph Masterman, Steven Brady, Tracy Turner, Tiffany Ellis, Alexandra

Walsh, and Pedram Esfandiary.

In general, **Co-Lead Counsel** are responsible for coordinating the activities of Plaintiffs during

pretrial proceedings and shall:

(a) determine (after such consultation with other members of Plaintiffs' Steering Committee

and other co-counsel as may be appropriate) and present to the Court and opposing parties the position

of the Plaintiffs on all matters arising during pretrial proceedings;

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1   (b) coordinate the scheduling and conduct of discovery on behalf of Plaintiffs consistent with

2 the requirements of Fed. R. Civ. P. 26(b)(1), 26(2), and 26(g), as well as the development of platforms

3 to allow for equitable and efficient use of discovery secured through this MDL;

4   (c) suggest, in consultation with Defendants, the ordering, priority, and response to pending

5 and anticipated motions;

6   (d) coordinate, at the appropriate juncture, the selection of trial team(s) and selection of cases

7 to resolve common issues and "bellweather" trials;

8   (e) conduct settlement negotiations on behalf of Plaintiffs, but not enter binding agreements

9 except to the extent expressly authorized;

10   (f) delegate specific tasks to PSC Members and other counsel in a manner to ensure that

11 pretrial preparation for the Plaintiffs is conducted efficiently and effectively;

12   (g) enter into stipulations with opposing counsel as necessary for the conduct of the litigation;

13   (h) prepare and distribute periodic status reports to the Court and parties;

14   (i) monitor time and expenses of all Plaintiffs' counsel consistent with the mandates of

15 Common Benefit Orders entered by the Court and administer the Common Benefit Fund to ensure that

16 the litigation moves forward expeditiously while unnecessary expenditures of time and funds are

17 avoided; and

18   (j) perform such other duties as may be necessary for effective and efficient coordination of

19 Plaintiffs' pretrial activities or as authorized by further order of the Court.

20   In general, Plaintiffs' Liaison Counsel and Plaintiffs' Steering Committee Members shall

21 consult with and operate with the guidance of Co-Lead Counsel.

22   The appointment as **Co-Lead Counsel**, **Liaison Counsel**, or a **general PSC Member** is a

23 personal appointment. The appointees cannot be substituted by other attorneys, including members of

24 the appointee's law firm, except with my prior approval. The PSC appointments may be revoked or

25 amended at any time by my order.

26   I authorize **Co-Lead Counsel** to appoint, without my prior approval, members of the PSC or

27 other counsel to do such work as they deem necessary to the most effective and efficient management

28 of this litigation.

1   The Court also APPOINTS Brooke Killian Kim as **Defendants' Liaison Counsel**.

2   **IT IS SO ORDERED.**

3   Dated: May 16, 2024

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6   JACQUELINE SCOTT CORLEY
        United States District Judge

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