

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

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**IN RE: AQUEOUS FILM-FORMING  
FOAMS PRODUCTS LIABILITY  
LITIGATION**

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**MDL No.2:18-mn-2873-RMG**

**CASE MANAGEMENT ORDER NO. 26M**

**This Order Relates to All Actions**

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**SCHEDULING ORDER GOVERNING GROUP B  
PERSONAL INJURY BELLWETHER TRIAL POOL CASES**

On July 19, 2024 the Court issued an Order selecting Tier 2 Personal Injury Bellwether Trial Pool plaintiffs, including three plaintiffs designated as “Group B” Plaintiffs. [ECF 5361]. That selection included two plaintiffs alleging thyroid disease, and one alleging ulcerative colitis. On December 30, 2024 the Court issued Case Management Order (“CMO”) 26F directing the parties to propose Additional Discovery Pool Plaintiffs alleging ulcerative colitis. [ECF 6526]. The Court approved the parties’ proposal for the selection of these three Plaintiffs on April 3, 2025 [ECF 6914]. On September 10, 2025 the Court issued CMO 26L advancing all three such Plaintiffs to Tier 2 Discovery as additional Group B plaintiffs, with the understanding that one of these three Additional Discovery Pool Plaintiffs would move into expert discovery along with the plaintiffs selected on July 19, 2024. [ECF No. 7997]. The Court is informed by the Parties that discovery in the Group B cases was impacted by the Government shutdown, resulting in the delay in the production of certain third-party discovery materials from the United States Air Force. The Court now issues this Order amending the schedule for further proceedings in the Group B CMO 26 personal injury bellwether cases as follows:

1. Tier 2 discovery for all remaining Group B Plaintiffs shall continue until March 19, 2026.
2. Consistent with CMO 26L, on or before March 19, 2026 the parties shall submit their proposed selection(s) (whether as a single agreed proposal or two competing proposals) as to which of the three Additional Discovery Pool Plaintiffs alleging ulcerative colitis (Tracy Gutierrez, Mary Shuman, and Sylvia Smith) shall be selected to move into expert discovery. Plaintiff James Zajicek (having already been submitted to and approved by the Court) will move forward to expert discovery at the close of Tier 2 Discovery. Similarly, plaintiffs John Slagle and Karin Frazier (having already been submitted to and approved by the Court as plaintiffs alleging thyroid disease) will move forward to expert discovery at the close of Tier 2 Discovery.
3. The parties shall file a joint or competing proposals as to expert discovery for the Group B cases on or before March 19, 2026.

**IT IS SO ORDERED.**

Dated: December 19, 2025  
Charleston, South Carolina

s/Richard M. Gergel  
Hon. Richard M. Gergel  
United State District Judge