

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

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

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

**CASE MANAGEMENT ORDER
NO. 27E**

This Order relates to All Actions

TELOMER AFFF BELLWETHER PROGRAM

This Case Management Order (“CMO”) extends the deadlines set forth in Section III of CMO 27 in the two water provider bellwether cases selected for Tier Two Discovery in the Telomer AFFF Bellwether Program, which are (1) *City of Watertown v. 3M Company et al.* (No. 2:21-cv-01104) and (2) *Southeast Morris County Municipal Utilities Authority v. 3M Company et al.* (No. 2:22-cv-00199) (the “Telomer Water Provider Tier Two Cases”), as follows:

1. Tier Two fact discovery in the Telomer Water Provider Tier Two Cases shall close on April 1, 2024.
2. On or before April 22, 2024, Plaintiffs shall disclose general and case-specific expert witness reports for the Telomer Water Provider Tier Two Cases pursuant to Fed. R. Civ. P. 26(a)(2).
3. On or before May 31, 2024, Defendants shall disclose general and case-specific expert witness reports for the Telomer Water Provider Tier Two Cases pursuant to Fed. R. Civ. P. 26(a)(2).
4. Plaintiffs shall disclose rebuttal expert witness reports, if any, by June 10, 2024.
5. All depositions of expert witnesses shall be completed by July 1, 2024

6. The parties shall agree or submit to the Court their respective positions on the sequence for trial of the Telomer Water Provider Tier 2 Cases by June 17, 2024. The parties shall agree or the Court shall select the sequence by July 1, 2024.

7. Any motions for summary judgment or for partial summary judgment shall be filed on or before July 8, 2024, in the Telomer Water Provider First Trial Case only.

8. Any motions seeking to challenge expert testimony pursuant to *Daubert* shall be filed on or before July 8, 2024, in the Telomer Water Provider First Trial Case only.

9. Responses to motions for summary judgment or for partial summary judgment shall be filed on or before August 9, 2024, in the Telomer Water Provider First Trial Case only.

10. Responses to motions seeking to challenge expert testimony pursuant to *Daubert* shall be filed on or before August 9, 2024, in the Telomer Water Provider First Trial Case only.

11. Reply briefs in further support of summary judgment motions shall be filed on or before August 23, 2024, in the Telomer Water Provider First Trial Case only.

12. Reply briefs in further support of motions seeking to challenge expert testimony pursuant to *Daubert* shall be filed on or before August 23, 2024, in the Telomer Water Provider First Trial Case only.

13. A more detailed schedule for final pretrial matters, including witness and exhibit lists, motions *in limine*, deposition designations, and a provision for pre-trial depositions of any trial witnesses not previously deposed will be the subject of a subsequent CMO.

14. Trial Date: The presumptive trial date for the Telomer Water Provider First Trial Case will be September 23, 2024

All other provisions of CMO 27 remain unchanged.

AND IT IS SO ORDERED.

February 6, 2024
Charleston, South Carolina

s/Richard Mark Gergel
Richard Mark Gergel
United States District Court Judge