

**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. 4.B**
)
) **This Order Relates to All Actions**

SECOND AMENDMENT TO PROTECTIVE ORDER

1. Case Management Order No. 2B (Dkt. No. 2658) appoints the Hon. Layn Phillips (ret.) to serve as Court-appointed mediator to assist the parties and provides guidance for the conduct of that mediation. This CMO No. 4B provides for court-appointed mediators and staff working at their direction to have access to materials designated as Confidential, Highly Confidential, Export Control Information, or Department of Defense Distribution Statement F Information under the protective orders governing this MDL, and in so doing modifies those protective orders. *See* Attachment B, CMO No. 4 (Dkt. No. 99); CMO No. 4A (Dkt. No. 1523).

2. Specifically, the Court amends CMO No. 4A as follows:

- a. New paragraph 3(i) is added as follows: “3(i). Court-appointed mediators and the attorneys, secretaries, paralegals, assistants, and employees of such court-appointed mediators to the extent necessary to render professional services in this Action.”
- b. New paragraph 4(j) is added as follows: “4(j). Court-appointed mediators and the attorneys, secretaries, paralegals, assistants, and employees of such court-appointed mediators to the extent necessary to render professional services in this Action.”
- c. New paragraph 7(i) is added as follows: “7(i). Court-appointed mediators and the attorneys, secretaries, paralegals, assistants, and employees of such court-appointed mediators to the extent necessary to render professional services in this Action.”

3. The Court further orders that any person subject to the foregoing amendments shall be bound by all other provisions of CMO Nos. 4 and 4A.

4. For the avoidance of doubt, except as specifically provided in this Order, no other provision of CMO Nos. 4 or 4A is modified or altered in any way by this CMO No. 4B.

AND IT IS SO ORDERED.

November 2, 2022
Charleston, South Carolina

s/Richard Mark Gergel
Hon. Richard M. Gergel
United States District Judge