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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN
FRANCISCO, et al.,

Plaintiffs,

v.

PURDUE PHARMA L.P., et al.,

Defendants.

Case No. [18-cv-07591-CRB](#)

**ORDER RE PARTIAL CASE
MANAGEMENT SCHEDULE**

In light of the parties' submissions, the Court approves a case management schedule with the following deadlines:

1. Service of limited document requests — April 6, 2020.
2. Omnibus motion to dismiss (limited to issues not previously resolved in the MDL¹) — April 17, 2020.
3. Opposition to motion to dismiss — May 15, 2020.
4. Reply in support of motion to dismiss — May 29, 2020.

The Court will then set a hearing on the omnibus motion, if it concludes that one is necessary, as the Court's schedule allows.

Plaintiffs propose a 50-page motion, 50-page opposition, and 20-page reply, and ask that the parties be permitted to incorporate by reference similar arguments made in the MDL. See Reply (dkt. 135). The Court will allow Defendants 30 pages to make their case for dismissal,

¹ Indeed, Defendants are ordered to state, at the outset of said motion, (1) that each basis for dismissal is not covered by previous holdings in the MDL; or (2) if related to an issue previously covered by the MDL, what change permits them to revisit the law of the case.

United States District Court
Northern District of California

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Plaintiffs 30 pages to oppose, and Defendants 15 pages to reply.² It is not immediately obvious why the parties need to incorporate similar arguments made in the MDL if the omnibus motion is truly limited to issues not previously resolved in the MDL. However, the Court will allow the parties to incorporate by reference documents from the MDL, so long as (1) they are judicious in doing so, and (2) they attach those documents to their briefs.

In addition, the Court will allow Plaintiffs' Fact Sheet to substitute for initial disclosures, with a date for amendment to be determined after 30 days; will allow the parties to commence service of document requests limited to 25 total requests for production on Plaintiffs by all Defendants collectively, and 10 requests for production by Plaintiffs on each Defendant family; and will allow the parties to submit renewed proposed discovery and trial schedules 30 days from the date of this order. To the extent that these requests for production work an unreasonable burden on recipients in light of the COVID-19 crisis, the parties are directed to meet and confer in order to try to accommodate each other before seeking the intervention of the Court.

IT IS SO ORDERED.

Dated: April 2, 2020



CHARLES R. BREYER
United States District Judge

² To the extent that individual defendants intend to file additional motions to dismiss based purely on jurisdictional issues, see id. at 9 n.9, those motions shall comport with the page limits in Civil Local Rule 7.