

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

14-MD-2543 (JMF)
14-MC-2543 (JMF)

Hon. Jesse M. Furman

~~Proposed~~ **Order Regarding Next Steps for Remaining Wave Three Claims**

For good cause shown, the Court adopts the following schedule and procedures for the remaining Wave Three cases subject to one or more notices or motions under Order No. 160.

I. PROCEDURES AND SCHEDULE FOR TWO PLAINTIFFS SUBJECT TO NEW GM'S AIRBAG DEPLOYMENT NOTICE

1. By **Friday, November 1, 2019**, New GM may file on the main MDL and individual dockets a notice identifying Ms. Jessica Perry (Case No. 1:18-cv-1459) as a plaintiff who it believes should be dismissed on the basis of airbag deployment.

2. By **Friday, November 29, 2019**, counsel for Ms. Perry shall file on the main MDL and individual dockets: (1) a notice of intent to voluntarily dismiss the claim; (2) a notice of intent to withdraw as counsel; or (3) a notice of intent to press Ms. Perry's claims, along with the factual basis as to why the plaintiff believes dismissal is not appropriate.

3. By **Friday, December 6, 2019**, if either of the first two options in Paragraph 2 is taken, Ms. Perry shall file on the main MDL and individual dockets a voluntary dismissal, or her counsel shall move to withdraw. If the third option in Paragraph 2 is taken, the parties shall meet and confer, and by **Friday, December 13, 2019**, shall file joint or competing letters proposing next steps for Ms. Perry's claims.

4. If mediation is not successful, then discovery for Ms. Renell Williams (Case No. 1:18-cv-7540) shall proceed in accordance with the agreed-upon schedule for the other remaining Wave Three plaintiffs represented by Langdon & Emison, LLC, set forth in the joint written update submitted by Lead Counsel, Liaison Counsel, and New GM dated September 30, 2019 (Docket No. 7209). Pursuant to that filing, Wave Three discovery schedule was extended by agreement such that (a) fact discovery depositions will begin on **Thursday, January 9, 2020** and will be open until **Friday, May 8, 2020**; (b) plaintiffs' expert reports and reliance materials will be due on **Friday, June 5, 2020**; and (c) depositions of plaintiffs' experts will be taken by **Friday, July 3, 2020**. By **Friday, July 10, 2020**, the parties shall file joint or competing letters proposing next steps for Ms. Williams claims.

II. PLAINTIFFS SUBJECT TO NEW GM'S STATUTE OF LIMITATIONS NOTICE

5. On **Friday, December 13, 2019**, limited fact discovery shall commence as to the thirteen remaining Wave three plaintiffs whose claims New GM identified in its Statute of Limitations notice (Docket No. 6945). Discovery may include document requests, third-party subpoenas, and depositions, but only insofar as this discovery is related to New GM's statute of limitations defenses. This discovery period shall close on **Thursday, February 13, 2020**.

6. By **Friday, March 13, 2020**, New GM may file on the main MDL and individual dockets a summary judgment motion or motions seeking dismissal of the thirteen Wave Three plaintiffs whose claims it identified in its Statute of Limitations notice (Docket No. 6946).

7. By **Friday, March 27, 2020**, counsel for plaintiffs shall file on the main MDL and individual dockets their response(s) to New GM's motion(s) for summary judgment.

8. By **Friday, April 10, 2020**, New GM shall file on the main MDL and individual dockets their reply or replies in support of their motion(s) for summary judgment.

III. PLAINTIFFS SUBJECT TO NEW GM'S STATUTE OF REPOSE NOTICE


9. By **Friday, November 22, 2019**, New GM may file on the main MDL and individual dockets a summary judgment motion or motions seeking dismissal of the six Wave Three plaintiffs whose claims it identified in its Statute of Repose notice (Docket No. 6946).

10. By **Friday, December 6, 2019**, counsel for plaintiffs shall file on the main MDL and individual dockets their response(s) to New GM's motion(s) for summary judgment.

11. By **Friday, December 20, 2019**, New GM shall file on the main MDL and individual dockets their reply or replies in support of their motion(s) for summary judgment.

SO ORDERED.

Dated: October 11, 2019
New York, New York



JESSE M. FURMAN
United States District Judge