

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____ /

This Order Relates To:

ALL CASES

_____ /

AGENDA FOR MARCH 12, 2019 STATUS CONFERENCE

The Court will hold a status conference in these cases on March 12, 2019 at 2:00pm in Ann Arbor, Michigan. The agenda will be as follows, although the Court may adjust the agenda prior to the conference, if necessary:

1. Case Management Plan

On December 21, 2018, the parties jointly submitted a proposed case management plan. (Dkt. 719.) The plan addressed discovery, class certification, and bellwether trial proceedings, among other items. (*Id.*) On March 12, 2019, at 9:30am, the Court will discuss the proposed plan with those counsel selected to lead its development at an in-chambers conference. The Court will give a progress report at the status conference.

2. Non-Party Documents Only Subpoenas

On June 5, 2018, the Court approved service of several non-party documents-only subpoenas. (Dkt. 502.) The Court recognized at the time that modifications to the subpoena process would be necessary over time as non-party discovery proceeded. (Dkt. 501.) At the status conference, the parties will have an opportunity to raise proposed modifications to the process.

3. Plaintiff Authorizations

At the February 6, 2019 status conference, the Court ordered co-lead class counsel to provide defendants with authorizations for the named plaintiffs in *Carthan v. Snyder*. (Dkt. 764.) Plaintiffs subsequently objected to the process, and the Court held a telephonic hearing to facilitate a resolution. (Dkt. 771.) As a result, the Court ordered that plaintiffs provide a limited number of authorizations. (Dkt. 774.). However, the Court recognized the need to address the bigger picture issue of how best to coordinate the transfer of authorizations for the thousands of plaintiffs involved in the litigation. The parties should come prepared to discuss potential solutions and a proposed briefing schedule if needed.

4. Motion Practice in Non-Lead Cases

The Court is currently addressing the motions to dismiss in *Carthan v. Snyder*, *Walters v. Flint*, and *Sirls v. Michigan*. Once these are completed, the Court will permit parties to amend their short form complaints, if necessary in light of its decisions in *Walters* and *Sirls*. The Court will also set a briefing schedule to address the motions to dismiss in *Marble v. Snyder*. Only then will the Court address cases that involve causes of action different from those in *Carthan*, *Walters*, *Sirls*, and *Marble*.

5. Special Master Report

6. Federal and State Court Discovery Coordination

Parties with other Flint water related cases pending in federal and state court will provide an update on discovery coordination efforts. This will remain a standing item in future status conferences.

7. Scheduling of Next Status Conference

The next status conference will be held on May 15, 2019 at 2:00pm in Ann Arbor, Michigan. Parties are to file proposed agenda items in case no. 16-cv-10444 by May 1, 2019. Individual liaison counsel should collect

proposed agenda items from all counsel representing individual plaintiffs and submit those proposed items as a single filing. The Court will issue an agenda by May 8, 2019.

Dated: March 5, 2019
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 5, 2019.

s/Shawna Burns
SHAWNA BURNS
Case Manager