

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE PHILIPS RECALLED CPAP, BI-
LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS
LITIGATION

THIS DOCUMENT RELATES TO:

See Exhibits A and B

)
)
) Master Docket: 2:21-mc-01230-JFC
)
) MDL No. 3014
)
) Honorable Joy Flowers Conti
)
)
)

**ORDER GRANTING SUPPLEMENTAL RELIEF
WITH RESPECT TO THE DOCKET MANAGEMENT ORDER**

THIS MATTER having come before the Court upon the Motion of Defendants Philips RS North America LLC, Koninklijke Philips N.V., Philips North America LLC, Philips Holding USA, Inc., and Philips RS North America Holding Corporation (collectively, “Philips Defendants”), for Supplemental Relief with Respect to the Docket Management Order, and good and sufficient cause having been shown,

IT IS on this 3rd day of July, 2025, **HEREBY ORDERED** that the Litigating Plaintiffs listed in Exhibit A to this Order shall serve the notices, documents, and/or information described in Sections III and IV, paragraphs 12–18, of this Court’s Docket Management Order, ECF No. 2769, upon counsel for the Philips Defendants. Service must be made by the following deadlines:

1. By August 4, 2025:
 - a. Service of Preservation Notices (and associated documents) concerning records relating to the Litigating Plaintiff’s claims (Docket Management Order, ¶¶ 12-14).
2. By September 2, 2025

- a. Production to Defendants of the following required by Docket Management Order, ¶ 15(a), including:
 - i. All disclosures required by Fed. R. Civ. P. 26(a)(1);
 - ii. Completed Litigating Plaintiff Fact Sheet;
 - iii. Medical Records;
 - iv. Autopsy Reports and Death Certificates;
 - v. Records Relating to Use of the Recalled Device and any Replacement Device;
 - vi. Record Collection Production; and
 - vii. Declaration Under Penalty of Perjury.
 - b. Proof of Injury required by Docket Management Order, ¶ 16.
3. By October 1, 2025:
- a. Expert reports required by Docket Management Order, ¶ 17.

IT IS FURTHER ORDERED that, pursuant to paragraphs 20 and 21 of the Docket Management Order, should any of the listed Litigating Plaintiffs fail to fully comply with the foregoing requirements, then the Philips Defendants shall notify the Court of the alleged deficiencies, and the Court shall enter an Order to Show Cause why each deficient Litigating Plaintiff's case should not be dismissed with prejudice. Deficient Litigating Plaintiffs shall have 21 days to respond to said Order to Show Cause. If any deficient Litigating Plaintiff fails to cure the deficiencies or show good cause why their case should not be dismissed with prejudice within 21 days of the entry of the Order to Show Cause, then the case will be dismissed with prejudice.

IT IS FURTHER ORDERED that the plaintiffs listed in Exhibit B to this Order are hereby **RELIEVED** of the compliance deadlines imposed on them by this Court's June 13, 2025 Orders, ECF Nos. 3375, 3376.

IT IS FURTHER ORDERED that all Litigating Plaintiffs who assert claims against the Philips Defendants in this MDL on or after the date of this Order shall be subject to the Docket Management Order's deadlines to run from the date on which they enter the MDL. To ensure adequate notice of the applicable deadlines to all new Litigating Plaintiffs, the Philips Defendants shall file an individualized notice describing the pertinent deadlines on the member docket of each such new Litigating Plaintiff within fourteen days of the Litigating Plaintiff's entry into the MDL.¹

Dated: July 3, 2025

s/Joy Flowers Conti
Honorable Joy Flowers Conti
Senior United States District Judge

¹ If a new Litigating Plaintiff has entered the MDL in the period between the filing of the Philips Defendants' Motion and the date of this Order, then that Litigating Plaintiff's deadlines shall run from the date they entered the MDL and Philips Defendants shall provide them notice of said deadlines as soon as practicable.

EXHIBIT A

**IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND MECHANICAL VENTILATION
PRODUCTS LITIGATION, MDL 3014 (Case No. 21-mc-01230)**

	Matter Title	Claimant	Case #	Opposing Counsel
1.	King, Derrick Martin	Derrick Martin King	2:24-cv- 01693	Derrick Martin King 1445 Crestview Akron, OH 44320 Email: dmking12370@hotmail.com
2.	Flores-Cruz, Sally Lanette	Sally Lanette Flores-Cruz	2:23-cv- 01065	Sally Lanette Flores-Cruz Alyson L. Oliver Oliver Bell Group 50 W. Big Beaver Rd. Ste 200 Troy, MI 48084 Email: notifications@oliverlawgroup.com
3.	Ruiz, Adriana	Adriana Ruiz	2:25-cv- 00314	Brian J. Kim Maureen K. Hennessey SHK Law Corporation 15915 Ventura Boulevard, Suite 201 Encino, CA 91436 Email: bkim@shklaw.com Email: mhennessey@shklaw.com Nicholas C. Rowley Sean Simpson Trial Lawyers for Justice 877 S. Victoria Avenue, Suite 201 Ventura, CA 93003 Email: NR@tl4j.com Email: sean@tl4j.com
4.	Burke, Patrick	Patrick Burke	2:25-cv- 00514	Michael S. Katz Lopez McHugh LLP 214 Flynn Avenue Moorestown, NJ 08057 Email: mkatz@lopezmchugh.com
5.	Jenkins, William Cary	William Cary Jenkins	2:25-cv- 00520	Patrick W. Pendley Pendley, Baudin & Coffin 24110 Eden Street, P.O. Drawer 71 Plaquemine, LA 70765 Email: pwpendley@pbclawfirm.com

	Matter Title	Claimant	Case #	Opposing Counsel
6.	Young, Samuel	Samuel Young	2:25-cv-00657	Dain Dreyer Dreyer & Mazaheri, PLLC 106 S. Saint Mary's Street, Suite 230 San Antonio, TX 78205 210.472.1400 Fax: 210.472.1404 Email: dain@dreyermazaherilaw.com
7.	Chance, Jane & Joseph	Joseph Chance	2:25-cv-00809	J. Flint Liddon James R. Morgan Morgan, Morgan and Liddon 1605 Richard Arrington Jr. Blvd S Birmingham, AL 35205
8.	Hamilton, Eddie (Edward)	Eddie (Edward) Hamilton	2:25-cv-00599	Scott A. Benkie Benkie & Crawford 156 E. Market Street, Suite 200 Indianapolis, IN 46204 Email: belaw@benkiecrawford.com
9.	Meili, Fritz & Candace	Fritz Meili	2:25-cv-00585	Matthew Malone Embry Merritt Womack Nance, PLLC 201 E. Main Street, Suite 1402 Lexington, KY 40507 Email: matt.malone@emwnlaw.com

EXHIBIT B

**IN RE: PHILIPS RECALLED CPAP, BI-LEVEL PAP, AND MECHANICAL VENTILATION
PRODUCTS LITIGATION, MDL 3014 (Case No. 21-mc-01230)**

	Matter Title	Claimant	Case #	Opposing Counsel
1.	Black, Daniel	Stoke, James	2:24-cv- 00718	Elizabeth N. Mulvey Libby Hoopes Brooks & Mulvey P.C. 260 Franklin Street, Suite 1920 Boston, MA 02110 Email: emulvey@lhbmlegal.com
2.	Smallwood, Barbara E.	Webster, Robert T.	2:23-cv- 00693	Richard D. Heideman Heideman, Nudelman & Kalik PC 5335 Wisconsin Avenue, Suite 440 Washington, DC 20015 Email: kcfogle@hnklaw.com