

3. Privilege Log Protocol. By June 29, 2022, the parties will submit a proposed order governing a privilege log protocol, together with any remaining disputes regarding provisions of the same, to the Special Master.

4. Initial Identification of Custodians, Search Terms and Non-Custodial Sources of Data. By August 5, 2022, the parties shall identify an initial list of custodians and their non-custodial sources reasonably believed to contain potentially relevant information, consistent with the W.D. Pa. ESI checklist concerning scope of custodial and noncustodial productions, protocols and processes. The parties' identification of an initial list of custodians is without prejudice to any party later identifying further custodians after review of the pleadings or after receiving discovery requests from another party. The parties shall then meet and confer concerning reasonable requests for additional information on custodial and non-custodial sources. The selection of custodial and non-custodial sources for production shall be governed by the order regarding the discovery of documents and ESI discussed in Paragraph 2 above, and such other orders as may be entered by the Court hereafter, or agreement of the parties.

5. Deposition Protocol. By August 15, 2022, the parties will submit a proposed order governing depositions, together with any remaining disputes regarding provision of the same, to the Special Master.

6. Commencement of Fact Discovery. The parties have agreed that full class certification and merits discovery without phasing will begin on September 1, 2022, unless SoClean has a motion to stay discovery pending the motion to dismiss granted by that time. If a stay pending the motion to dismiss is granted, the following schedule will be keyed off of entry of an order denying the motion to dismiss rather than the September 1, 2022, discovery start date.

7. The parties have agreed to the following schedule for fact discovery. Certain dates below are keyed to the “trigger date” on which discovery commences as set out in

Paragraph 6:

Action	Date
SoClean Initial Disclosures	August 12, 2022 (21 days after filing of the Consolidated Amended Complaint)
Plaintiffs Initial Disclosures	August 12, 2022 (21 days after filing of the Consolidated Amended Complaint)
Rule 16 Conference	August 31, 2022
SoClean Production of FDA file	1 month after trigger date
Plaintiffs Production of all documents referenced in the CAC, including testing results, published studies, and any documents received from FOIA	1 month after trigger date
Rolling productions start	4 months after trigger date
Document production substantially complete	8 months after trigger date
Date by which any additional parties shall be joined and deadline for amending pleadings	The parties will need an order of court to amend pleadings or add new parties.
Fact discovery complete	13 months after trigger date
Parties submit proposed case schedule for post-fact discovery proceedings	14 months after trigger date, 1 month after end of fact discovery
Post-fact discovery status conference pursuant to Local Rule Civil Procedure 16.1(B)(1)(c)	Regular status conference following submission of joint proposed case schedule for post-fact discovery proceedings

8. **Deadlines and Limitations on Written Discovery.** By September 15, 2022, the parties will submit a proposed order governing deadlines and limits for serving and responding to requests for production, interrogatories, and admissions, together with any remaining disputes regarding provisions of the same, to the Special Master.

9. The parties have already agreed to deadlines for full fact discovery including substantial completion of document production and completion of fact discovery as set out in Paragraph 7. Based on the parties' election in their Rule 26 Report, the parties shall schedule the Post-Fact Discovery Dates, including expert discovery and class certification briefing, at the Post-Discovery Status Conference. The Post-Discovery Status Conference will happen at the regular status conference following the submission of a joint proposed case schedule for post-fact discovery proceedings.

10. The parties will continue to participate in regularly scheduled conference calls, videoconferences, and/or meetings with the Special Master to address discovery issues. These regular calls/meetings will be continue as needed and at the discretion and direction of the Special Master.

IT IS SO ORDERED.

s/Joy Flowers Conti

The Honorable Joy Flowers Conti
Senior United States District Court Judge

DATED: June 23, 2022