

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION**

IN RE: *Just For Men® Mass Tort Litigation*

Case No. 3:16-cv-00638-DRH
Master Docket – In Re: *Just For
Men®
Mass Tort Litigation*

This Document Relates to:

ALL Just for Men® Cases

**CASE MANAGEMENT ORDER NO. 8 REGARDING DEADLINES FOR
COMPLETION OF PLAINTIFF FACT SHEETS AND CATEGORIZATION
OF CASES ACCORDING TO INJURY LEVEL**

HERNDON, District Judge:

Due to the substantial number of cases alleging injuries from the use of Defendants' marketed products, known as the Just for Men® hair coloring products, this Court entered a Case Coordination Order on June 28, 2016 (doc. 2) for the purpose of managing coordinated proceedings for pretrial matters. Since that time, the parties have conducted extensive discovery. In further management of discovery in this litigation, it is necessary (a) to establish deadlines for completion of Plaintiff Fact Sheets ("PFS") for every case that has been filed or is the subject of a Tolling Agreement with Defendants, and (b) for each Plaintiffs' Counsel to provide an accurate accounting of all filed and unfiled cases contained in their inventory to Liaison Counsel, Kristine Kraft, kkraft@uselaws.com. To that end, this Order requires all Plaintiffs' Counsel

having one or more cases involving Just for Men® products to adhere to the deadlines and terms set forth in this Order:

1. **No later than August 31, 2018**, each Plaintiff whose case is currently docketed in this Court, and each case that is the subject of a Tolling Agreement with Defendants shall serve a completed Plaintiff Fact Sheet, Authorizations, Responsive Documents, and required Photographs (before use, during injury, and current photographs), *including any supplementations thereto*, by uploading such documents with the Record Copy Service Vendor approved by this Court, Litigation Management, Inc. (“LMI”). This Order sets a deadline for all PFS submissions, but does not extend any deadlines that have passed or that shall occur before August 31, 2018, related to individual PFS submissions already in process.

2. **No later than August 31, 2018**, all Plaintiffs’ Counsel must upload to Litigation Management, Inc. (“LMI”), all evidentiary support that Plaintiffs’ Counsel deems necessary in each case, whether filed or unfiled, to substantiate the existence and degree of the alleged injuries. Plaintiffs’ Counsel therefore, must produce all applicable medical records and photographs, as well as any other supporting documentation, by uploading them to LMI, **no later than August 31, 2018**. The failure to produce this supporting documentation **by August 31, 2018** will result in exclusion of such documentation for consideration of evidentiary support of damages for any purposes during the pretrial period, absent a showing of good cause excusing non-compliance with this Order.

3. **No later than August 15, 2018**, all Plaintiffs' Counsel must conduct careful and thorough assessments of every case in their inventory, whether filed or unfiled, and provide that assessment to Liaison Counsel pursuant to this Order. *Immediately upon the issuance of this Order*, Liaison Counsel, Kristine Kraft, shall make available to all Plaintiffs' Counsel a spreadsheet and guidelines for this process. Each Plaintiffs' counsel is instructed to comply with the guidelines for the assessment process as set forth by Liaison Counsel and shall not modify the format or fields required by the spreadsheet provided by Liaison Counsel. If any Plaintiffs' Counsel has not been contacted within 5 days of the entry of this Order, they must contact Liaison Counsel, Kristine Kraft, kkraft@uselaws.com, to ensure they have the proper template for submission of this material.

4. All Plaintiffs' Counsel in this proceeding shall be responsible for ensuring that all cases related to Just for Men® hair coloring products in which they have an "Interest" comply with the terms of this Order and shall coordinate with Primary Counsel to ensure compliance and to avoid submission of the same case by multiple counsel. Counsel shall be deemed to have an "Interest" in a case if Counsel (a) has an engagement or retainer agreement with a person to represent that person in relation to Just for Men® products; or (b) is listed as counsel of record for a Plaintiff in filed pleadings.

5. Primary Counsel shall be responsible for fully complying with this Order and shall provide the information required completely and accurately by the deadlines set forth above.

6. The Court expects all Plaintiffs' Counsel to comply with this Order. Failure to meet the requirements of this Order by the deadlines set herein may be subject to a show cause hearing as to why any claims for individuals that have not complied with the terms of this Order should not be dismissed.

IT IS SO ORDERED.



Judge Herndon
2018.07.17
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United States District Judge