

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: JUUL LABS INC.,
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION

Case No. [19-md-02913-WHO](#) (JSC)

**CASE MANAGEMENT ORDER NO. 6:
DISCOVERY DISPUTE RESOLUTION
PROCEDURES**

This Document Relates to:

All matters

Resolution of discovery disputes in this MDL has been referred to the undersigned magistrate judge. As to discovery disputes that may arise, the parties shall comply with paragraph 4 of the Northern District of California Standing Order for Civil Cases. In addition, and in the interest of ensuring the prompt and equitable resolution of discovery disputes, the Court orders the following procedures:

1. A discovery dispute is defined as a refusal to fully produce requested discovery or an inability to agree on the parameters of the discovery sought or ordered. Unless both parties otherwise agree, the meet and confer process shall begin within three business days of a party making a request for the meet and confer conference.
2. If the parties remain at impasse after meeting and conferring, the party seeking discovery or requesting relief (the “moving party”) may, no earlier than three business days after the parties have concluded the meet and confer process, proffer via email to the opposing party its two-and-a-half page portion of the five-page joint letter brief

1 contemplated by the Northern District of California Standing Order. The opposing
2 party shall then have three business days to provide its written response of no more
3 than two-and-a-half pages. The parties shall then have one business day to provide any
4 additional changes to their respective portions of the letter brief after which the joint
5 submission shall be promptly filed. Absent other agreement, the parties shall exchange
6 revised drafts with any additional changes to their respective portions of the letter brief
7 by 3:00 p.m. Pacific Time and the filing is to be made by the party seeking the relief by
8 5:00 p.m. Pacific Time. The parties may agree to exchange interim drafts prior to
9 finalizing their respective portions set forth above.

- 10 3. If the opposing party fails to participate in the requested meet and confer in good faith
11 within the three-business day time period specified in paragraph 1 above, the party
12 seeking discovery may submit an individual statement to the Court including an
13 explanation of why a joint statement was not possible, or otherwise seek the Court's
14 assistance.
- 15 4. The parties are invited, but not required, to contact the Court's Deputy Clerk Ada
16 Means to schedule an informal discovery conference with the Court after the parties
17 have met and conferred but before the drafting of the discovery letter brief. At the
18 conference the Court will not formally rule, but instead will attempt to assist the parties
19 with resolving their dispute without the need for written submissions. The parties may
20 agree to stay the deadlines for submission of the discovery letter pending the informal
21 discovery conference, but absent an agreement the deadlines set forth in paragraph 2
22 above remain in place.

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24 **IT IS SO ORDERED.**

25 Dated: January 14, 2020

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28 JACQUELINE SCOTT CORLEY
United States Magistrate Judge