

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

SHEET METAL WORKERS LOCAL NO. 20
WELFARE AND BENEFIT FUND, and INDIANA
CARPENTERS WELFARE FUND, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

CVS PHARMACY INC., *et al.*,

Defendants.

Case No. 1:16-cv-00046-S

PLUMBERS WELFARE FUND, LOCAL 130, U.A.,
on behalf of itself and all others similarly,

Plaintiffs,

v.

CVS PHARMACY INC., *et al.*,

Defendants.

Case No. 1:16-cv-00447-S

JOINT PROPOSED CASE MANAGEMENT ORDER

Pursuant to the discussion at the Court's October 24, 2023 status conference, the parties in the above-captioned matters submit the following proposed case management order for the Court's consideration:

EVENT	PROPOSED DATE
Defendants' motions to dismiss absent class members pursuant to contractual alternative dispute resolution provisions ("arbitration motions") due	November 10, 2023

Plaintiffs' opposition briefs to arbitration motions due	December 11, 2023
Defendants' reply briefs in support of arbitration motions due	January 10, 2024
Defendants' initial motion to dismiss claims by absent class members based on knowledge, to focus on clients of Caremark ("Caremark knowledge motion") due	December 15, 2023
Plaintiffs' opposition brief to Caremark knowledge motion due	January 15, 2024
Defendants' reply brief in support of Caremark knowledge motion due	January 29, 2024
Joint written status report due to the Court regarding PBM subpoenas, motions to compel, status of productions, absent class-member knowledge motions, arbitration motions, and any necessary review. Parties also to propose briefing schedule for remaining absent class member knowledge motions.	January 31, 2024
Status conference and tentative oral argument for ripe motions	February __, 2024 (or as otherwise set by the Court based on its availability)
Fact discovery from non-party PBMs shall be completed by this date	March 1, 2024
If allowed by the Court following the defendants' motion for leave to conduct absent class member discovery, fact discovery related to knowledge-based issues of absent class members shall be completed by this date	May 1, 2024
Plaintiffs' expert reports, if any, to be served by this date [Plaintiffs shall provide three dates on which their expert will be available for a deposition before the expert deposition deadline.]	July 1, 2024

<p>Defendants' expert reports, if any, to be served by this date</p> <p><i>[Defendants shall provide three dates on which their expert will be available for a deposition before the expert deposition deadline.]</i></p>	<p>August 15, 2024</p>
<p>Plaintiffs' rebuttal expert reports, if any, to be served by this date</p> <p><i>[Plaintiffs shall provide three dates on which their expert will be available for a deposition before the expert deposition deadline.]</i></p>	<p>September 20, 2024</p>
<p>All expert depositions shall be completed by this date</p>	<p>October 30, 2024</p>
<p>Summary judgment motions and motions to exclude to be filed on this date</p> <p><i>[No summary judgment motion shall be filed before this date without leave of Court. No party may file a summary judgment motion if it has not requested and held a conference with the Court, as required by the Standard Pretrial Order, by this date.]</i></p>	<p>December 6, 2024</p>
<p>Opposition briefs to summary judgment motions and motions to exclude due</p>	<p>January 24, 2025</p>
<p>Reply briefs in support of summary judgment and motions to exclude due</p>	<p>February 28, 2025</p>
<p>Counsel shall file electronically pretrial memorandum consistent with Standard Pretrial Order</p>	<p>30 days after ruling on summary judgment motions issued</p>

SO ORDERED.

November __, 2023

Respectfully submitted, November 3, 2023

The Honorable William E. Smith
United States District Judge

For Plaintiffs:

/s/ Mark T. Vazquez

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2023, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the attorneys of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Grant A. Geyerman