

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:  
ALL ACTIONS

**PRETRIAL ORDER NO. 246:  
ESTABLISHING INACTIVE DOCKET**

Many of the cases in the MDL are subject to ongoing settlement negotiations or included in aggregate settlement agreements. The following procedures shall be followed to prevent unnecessary work in cases that are subject to preliminary settlement agreements.

1. By October 1, 2021, Co-Lead Counsel and counsel for Monsanto shall provide the Court with a list of cases that are subject to preliminary settlement agreements.
2. Upon receipt of the list, the Clerk will administratively close each case on the list and terminate all pending motions. All pending deadlines will be vacated.
3. Every three months, Co-Lead Counsel and counsel for Monsanto shall provide the court with: 1) a list of cases that are newly subject to preliminary settlement agreements and should be administratively closed; 2) a list of cases previously administratively closed that should be returned to active status; and 3) a list of cases previously administratively closed where the settlement has been finalized, such that the cases should be dismissed with prejudice.
4. If a party believes that a case that has been administratively closed should be returned to active status or vice versa, it must meet and confer with the other side. The parties

shall then submit a joint letter brief outlining the position of each side. Plaintiffs may seek to return a case to active status using this procedure at any time.

5. When a case is returned to active status, it will be placed in the current wave; that is, the wave with the next motion for summary judgment deadline. However, if motions for summary judgment are due within 60 days, the case will be placed in the subsequent wave. Parties must re-file any previously filed motions that they wish the Court to consider within 28 days.

**IT IS SO ORDERED.**

Dated: September 16, 2021



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VINCE CHHABRIA  
United States District Judge