

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: HAIR RELAXER MARKETING
SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

Case No. 23 C 818

MDL No. 3060

Judge Mary M. Rowland

**CASE MANAGEMENT ORDER NO. 7
Adoption of Short Form Complaint**

Plaintiffs' Leadership Committee ("the PLC") filed a Master Long Form Complaint together with a sample Master Short Form Complaint and Jury Demand on May 15, 2023 [ECF 106]. Defendants filed a Joint Motion to Dismiss the Master Long Form Personal Injury Complaint on July 5, 2023 [ECF 142]. On July 14, 2023, the Court issued a Minute Entry requiring the Short Form Complaint to be filed by August 1, 2023 [ECF 161]. The Court has approved a Short Form Complaint [ECF 173]

I. Scope of Order

This Order shall govern all actions in the above-captioned MDL proceeding ("this MDL" or "the MDL") to the extent set forth herein that are directly filed in or transferred to this MDL after the date of this Order or otherwise expressly identified herein.

II. Short Form Complaint

A. Plaintiffs shall file and serve a Short Form Complaint in the form attached to this Order in every action that is directly filed in this MDL. For each action in the MDL, subject to this Order, the Master Complaint, together with the Short Form Complaint shall be deemed the operative complaint.

B. For those cases directly filed in or transferred to this MDL *prior* to the entry of this Order, or for any case subsequently transferred from another Federal District Court by the MDL panel, plaintiffs shall file the attached Short Form Complaint (as an Amended Complaint) within 75 days of the entry of this Order or transfer to this MDL. If a plaintiff files a Short Form Complaint in compliance with this Order that omits a defendant previously named in their prior complaint, it is the responsibility of that plaintiff to dismiss that defendant in compliance with Rule 41 of the Federal Rules of Civil Procedure. The Court strongly encourages dismissal by notice or stipulation where permitted by Rule 41(a)(1)(A)(i) or (ii), rather than by court order. If a plaintiff names an additional defendant not named in the prior complaint, the plaintiff must comply with Rule 4 as to the new defendant.

C. Nothing in this Order shall alter or otherwise suspend a Plaintiffs' requirement to effectuate service on any Defendant named in the Short Form Complaint. Absent agreement of the parties or subsequent Order of the Court, service of process shall be effectuated as required under Rule 4 of the Federal Rules of Civil Procedure.

D. Nothing in this Order shall be deemed a waiver of any party's right to amend the pleadings or defenses as permitted under the Federal Rules of Civil Procedure or as otherwise permitted by leave of Court.

E. All Plaintiffs who file a Short Form Complaint must comply with the provisions set forth in Case Management Order No. 2 (Direct Filing and Service of Process) [ECF 56] and any subsequent amendments.

F. Defendants' responses to Short Form Complaints are stayed until further order of the Court. The parties intend to meet and confer and submit a proposed Case Management Order within 30 days of the Court's adoption of a Short Form Complaint that will govern the manner in

which Defendants will provide Short Form Answers and Affirmative Defenses in response to Short Form Complaints, or the parties will otherwise agree on a process to govern the process by which Defendants respond to the Short Form Complaint.

Ordered this 3rd day of August, 2023.

E N T E R:

A handwritten signature in black ink, reading "Mary M. Rowland". The signature is written in a cursive, flowing style. The "M" is large and prominent, and the "Rowland" part is written in a more compact, cursive script.

MARY M. ROWLAND
United States District Judge