

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: AMITIZA ANTITRUST
LITIGATION

Master Docket No. 1:21-cv-11057-MJJ

This Document Relates to:
All Actions

PRE-TRIAL SCHEDULING ORDER

WHEREAS the Court scheduled trial to commence on April 13, 2026;

WHEREAS the parties agree to the following pre-trial schedule as set forth below, which modifies and supplements the Court’s prior Order Setting Civil Jury Trial (Dkt. No. 567);

NOW, THEREFORE, subject to the Court’s approval, the following dates shall govern the above-captioned matters:

Event	Deadline
Deadline for Parties to reach agreement on objection codes to be used for exhibits and deposition designations	December 10, 2025
Parties to exchange: (i) initial exhibit lists and copies of the exhibits listed therein (except for materials to be used solely for impeachment), including draft Rule 1006 summary exhibits; (ii) initial witness lists indicating whether each witness is “may call” or “will call” and “live or “by video deposition”; and (iii) initial deposition designations (both listed by page:line and, to the extent practicable, in the form of a highlighted copy of the corresponding deposition transcript in an electronic format that may be edited to denote responsive objections and counter-designations)	January 12, 2026

<p>Plaintiffs to serve draft:</p> <p>(i) jury instructions;</p> <p>(ii) verdict form;</p> <p>(iii) voir dire questions;</p> <p>(iv) stipulation of facts;</p> <p>(v) pretrial memorandum; and</p> <p>(vii) proposed stipulation governing trial logistics, including the timing and means of the parties' exchanges of information during the course of the trial</p>	<p>January 23, 2026</p>
<p>Date by which the parties shall have participated in an in-person mediation to explore settlement</p>	<p>The later of January 28, 2026, or a date within two weeks of a decision on the motions for summary judgment related to DPP / Common Issues</p>
<p>Parties to exchange:</p> <p>(i) objections to exhibit list;</p> <p>(ii) supplemental exhibit lists;</p> <p>(iii) objections to deposition designations and counter-designations (both listed by page:line with any objections noted in sequence by page:line and, to the extent practicable, in the form of a highlighted copy of the corresponding deposition transcript with objections annotated in sequence by page:line and in an electronic format that may be edited to denote responsive objections and any counter-counter-designations)</p>	<p>February 13, 2026</p>
<p>Deadline for the parties to reach agreement or impasse on the format and page limits for motions in limine</p>	<p>February 17, 2026</p>
<p>Parties to file a joint stipulation or competing proposed orders on the format and page limits for motions in limine</p>	<p>February 19, 2026</p>
<p>Takeda to serve any proposed revisions to Plaintiffs':</p> <p>(i) draft jury instructions;</p> <p>(ii) verdict form;</p> <p>(iii) voir dire questions;</p>	<p>February 20, 2026</p>

<p>(iv) stipulation of facts;</p> <p>(v) pretrial memorandum; and</p> <p>(vii) stipulation governing trial logistics, including the timing and means of the parties' exchanges of information during the course of the trial</p>	
<p>Parties to serve:</p> <p>(i) objections to supplemental exhibit lists, with any objections to the exhibit lists not so disclosed, other than objections pursuant to <u>Fed. R. Evid. 402</u> and <u>403</u>, waived according to <u>Fed. R. Civ. P. 26(a)(3)</u>, unless excused by the Court for good cause; and</p> <p>(ii) objections to counter-designations, and counter-counter-designations (both listed by page:line with any objections noted in sequence by page:line and, to the extent practicable, in the form of a highlighted copy of the corresponding deposition transcript with objections annotated in sequence by page:line and in an electronic format that may be edited to denote responsive objections)</p>	February 27, 2026
<p>Parties to file <i>motions in limine</i></p>	March 3, 2026
<p>Plaintiffs to serve any proposed revisions to:</p> <p>(i) jury instructions;</p> <p>(ii) verdict form;</p> <p>(iii) voir dire questions;</p> <p>(iv) stipulation of facts;</p> <p>(v) pretrial memorandum; and</p> <p>(vii) stipulation governing trial logistics, including the timing and means of the parties' exchanges of information during the course of the trial.¹</p>	March 6, 2026
<p>Parties to serve objections to counter-counter designations, with any objections to the deposition designations not so disclosed, other than objections pursuant to <u>Fed. R. Evid. 402</u> and <u>403</u>, waived according to <u>Fed. R. Civ. P. 26(a)(3)</u>, unless excused by the Court for good cause</p>	March 10, 2026

¹ The Parties reserve their rights to propose further edits (at any time up until the time of filing) for any joint submission addressing the items above and/or to separately state their proposed content as part of a broader joint submission.

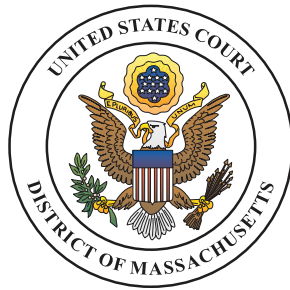
Deadline for the parties to meet and confer on resolving <i>motions in limine</i> ; if any motions are resolved, parties to file notice(s) of withdrawal by March 13, 2026	March 10, 2026
Parties to file: (i) requests for instructions to the jury, with citation to supporting authority; and (ii) a proposed verdict form	March 13, 2026
Conference on jury instructions and verdict form	Date convenient for the Court before the Final Pretrial Conference
Parties to file oppositions to motions <i>in limine</i>	March 23, 2026
Deadline for the parties to meet and confer, consistent with Local Rule 16.5(d), to further discuss and negotiate settlement of the action, to narrow the issues to be tried, to reach agreement on the joint pretrial memorandum, and to reach agreement or impasse on a stipulation governing trial logistics, including the timing and means of the parties' exchanges of information during the course of the trial	March 24, 2026
Each party to file a Trial Brief, pursuant to Local Rule 16.5(f), to include: (a) a succinct and neutral statement summarizing the principal claims and defenses of the parties to be read to the venire during empanelment; (b) any proposed questions for the voir dire examination of the jury; (c) a listing of pending affirmative <i>motions in limine</i> , along with any other requests regarding foreseeable disputes concerning evidentiary of other issues, including authority for the ruling requested; and (d) stipulations resolving any <i>motions in limine</i>	March 26, 2026
Parties to file a Joint Pretrial Memorandum setting forth: (a) the names, addresses, and telephone numbers of trial counsel; (b) a concise summary of the evidence that will be offered by the Plaintiff, the Defendant, and other parties, with respect to both liability and damages (including special damages, if any);	March 26, 2026

<p>(c) a statement of facts to be submitted to the court or jury: (i) by pleadings, (ii) by stipulations, or (iii) by admissions;</p> <p>(d) contested issues of fact (counsel shall stipulate to all facts not in genuine dispute);</p> <p>(e) any jurisdictional questions;</p> <p>(f) any questions raised by pending motions;</p> <p>(g) issues of law, including evidentiary questions, together with supporting authority;</p> <p>(h) any requested amendments to pleadings for good cause shown;</p> <p>(i) any additional matters to aid in the disposition of the action;</p> <p>(j) the probable length of trial;</p> <p>(k) the names of all witnesses to be called, the city/state in which the witness resides, the purpose of the testimony of each witness (i.e., factual, expert, etc.), whether the testimony of any such witness is to be presented by deposition or live, any objections not resolved pursuant to Local Rule 16.5(c), and unless the qualifications of any expert witness are stipulated, a statement of such witness' qualifications shall be included;</p> <p>(l) an identification by inclusive page and lines of any portions of depositions or interrogatory responses to be offered at trial and a statement of any objections thereto not resolved pursuant to Local Rule 16.5(c) modeled on Appendix A of ECF No. 567 to be followed by appended copies of the corresponding deposition transcripts highlighted to indicate each parties' designations or counter designations and including objections annotated in sequence by page:line;</p> <p>(m) a "List of Uncontested Exhibits" (photographs, documents, instruments, and all other objects as to which there appear to be no objections), in order of their anticipated introduction to the Court, identified and marked by a single sequence of numbers regardless of which party is the proponent;</p> <p>(n) a "List of Contested Exhibits" to which any party objects, identified and marked by a single sequence of capital letters regardless of which party is the proponent, including objections in the form of Appendix B of ECF No. 567 and the parties' respective positions on any such objections as required by Fed. R. Civ. P. 26(a)(3) and Local Rule 16.5(c)</p>	
<p>Parties to submit to the Court a joint stipulation governing trial logistics, including the timing and means of the parties' exchanges</p>	<p>March 27, 2026</p>

<p>of information during the course of the trial or competing proposed orders</p>	
<p>Counsel who will conduct trial, unless excused by the Court, shall appear for a Final Pretrial Conference at 2:30 p.m. in Courtroom 20 on the 7th floor, pursuant to <u>Fed. R. Civ. P. 16</u> and Local Rule 16.5, and counsel shall have conferred with their clients and be prepared to advise the court as to prospects of settlement and shall be themselves authorized or accompanied by persons authorized to engage in settlement discussions and consummate settlement</p>	<p>Date convenient for the Court other than during Passover (which starts the evening of April 1)—the parties propose March 30 or 31, 2026</p>
<p>Trial will commence with jury selection at 9:00 a.m. in Courtroom 20 on the 7th floor. Jury selection will proceed all day, if necessary, until completed. The trial will be conducted on a 9:00 a.m. to 1:00 p.m. schedule until deliberations. If jury selection ends before 1:00 p.m. on the first day of trial, opening statements and presentation of evidence will follow immediately thereafter and continue until 1:00 p.m. The Court will meet with counsel at 8:30 a.m. each day to resolve evidentiary or other legal disputes.</p>	<p>April 13, 2026</p>

SO ORDERED.

Dated: 9/26/2026



/s/ Myong J. Joun
 Myong J. Joun
 United States District Judge