

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

IN RE: 3M COMBAT ARMS  
EARPLUG PRODUCTS  
LIABILITY LITIGATION

Case No. 3:19md2885

This Document Relates to All Cases

Judge M. Casey Rodgers  
Magistrate Judge Hope T. Cannon

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**ORDER**

Wave 1 Plaintiffs' Motion for Summary Judgment on 3M Company's Full and Independent Liability for CAEv2-Related Injuries, ECF No. 3506-1, is pending before the Court. Among other issues, the Court is currently considering whether 3M's litigation conduct—as outlined in the Court's order dated August 14, 2022, ECF No. 3386, and described in Plaintiffs' motion, ECF No. 3506-1, and reply, ECF No. 3560—warrants the sanction of waiver of any assertions and/or arguments that the company is not fully and independently liable for all CAEv2 injuries. Accordingly, 3M is hereby granted an opportunity to file a written response to the invocation of sanctions and to justify its actions. The response is limited to seven pages (double-spaced, 14-pt. font) and must be filed by November 8, 2022 at 5 p.m. (CST).

**SO ORDERED**, on this 1st day of November, 2022.

*M. Casey Rodgers*

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**M. CASEY RODGERS  
UNITED STATES DISTRICT JUDGE**