

**In Re: Samsung Top-Load Washing Machine Marketing, Sales Practices and Product Liability
Litigation, MDL 2792**

Master Docket No: 17-ml-2792

Presiding Judge: Timothy D. DeGiusti

Courtroom Deputy: Mike Bailey, 405-609-5122

Primary Case Administrator: Regan Rosson, 405-609-5095

Secondary Case Administrator: Emily Wilkinson, 405-609-5017

Description: This Multidistrict Litigation involves a number of cases, centralized before this court, alleging that certain Samsung top-load washing machines have design and manufacturing defects that may cause machine parts to detach, break apart, or explode during the spin cycle, and that a voluntary recall issued in November 2016 fails to provide adequate relief to consumers.

Plaintiffs' Interim Liaison Counsel: William B. Federman
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Defendants' Interim Liaison Counsel: Arthur E. Brown
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MDL 2792: DOCUMENTS PERTAINING TO ALL CASES

10/04/2017 [1](#) Transfer Order from the Judicial Panel on MDL 2792 transferring 24 actions listed on Schedule A to the Western District of Oklahoma.

10/09/2017 [3](#) NOTICE by All Plaintiffs re: Leadership Structure.

CERTIFIED CONDITIONAL TRANSFER ORDER (CTO-1) from Judicial Panel on

10/13/2017 [5](#) Multidistrict litigation pursuant to 28 USC 1407 that the actions pending in districts other than the Western District of Oklahoma are transferred to the District of Oklahoma, creating MDL 2792. Case assigned to Judge Timothy D. DeGiusti. Signed by Clerk of the Panel on 10/13/17.

10/13/2017 [6](#) ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND APPOINTMENT OF INTERIM LIAISON COUNSEL. Initial Conference set for 11/16/2017 at 1:30 PM before Honorable Timothy D. DeGiusti. William B Federman is Plaintiffs' Interim Liaison Counsel and Stewart D Aaron is Defendants' Interim Liaison Counsel. Briefs due 7 days prior to CMC. Contact List due by 11/16/17 at the CMC. Signed by Honorable Timothy D. DeGiusti on 10/13/17.

10/18/2017 [10](#) ORDER: Stewart D. Aaron is hereby relieved of his role as Defendants' Interim Liaison Counsel and Arthur E. Brown is hereby appointed Defendants' Interim Liaison Counsel in this matter. Signed by Honorable Timothy D. DeGiusti on 10/18/17.

11/3/2017 [20](#) ORDER striking 19 MOTION for Leave to Withdraw as Counsel of Record for Plaintiff Cathleen Hansen; striking 14 Notices of Withdrawal of Counsel; striking 15 Notices of Withdrawal of Counsel; striking 16 Notices of Withdrawal of Counsel; striking 17 Notices of Withdrawal of Counsel. Signed by Honorable Timothy D. DeGiusti on 11/3/17.

11/13/2017 [25](#) ORDER granting Plaintiffs' Motion for Leave for Denise L. Morris to Withdraw as Counsel of Record for Plaintiff Cathleen Hansen. Shpetim Ademi, John D. Blythin, and Mark A Eldridge of Ademi & O'Reilly, LLP shall continue to serve as counsel for Plaintiff Cathleen Hansen in this action. Signed by Honorable Timothy D. DeGiusti on 11/13/17.

11/17/2017 [39](#) ORDER striking 38 Stipulation filed by Melissa Hinkhouse. Signed by Honorable Timothy D. DeGiusti on 11/17/17.

11/21/2017 [41](#) ORDER granting 31 Defendants Application for Withdrawal of Kenneth L. Chernof. Kenneth L. Chernofs name and email address shall be removed from this cases official docket. Signed by Honorable Timothy D. DeGiusti on 11/21/17.

11/21/2017 [42](#) ORDER granting 32 Defendants Application for Withdrawal of Maggie C. Maurone. Maggie C. Maurones name and email address shall be removed from this cases official docket. Signed by Honorable Timothy D. DeGiusti on 11/21/17.

11/21/2017 [43](#) ORDER granting 33 Defendants' Application for Withdrawal of Ingo W. Sprie, Jr. Ingo W. Sprie, Jr.'s name and email address shall be removed from this case's official docket. Signed by Honorable Timothy D. DeGiusti on 11/21/17.

11/21/2017 [44](#) ORDER granting 34 Defendants' Application for Withdrawal of Jeffrey M. Wagner. Jeffrey M. Wagner's name and email address shall be removed from this case's official docket. Signed by Honorable Timothy D. DeGiusti on 11/21/17.

11/21/2017 [45](#) ORDER. Signed by Honorable Timothy D. DeGiusti on 11/21/17.

11/22/2017 [46](#) ORDER granting 35 Defendants' Application for Withdrawal of Stewart D. Aaron. Stewart D. Aaron's name and email address shall be removed from this case's official docket. Signed by

Honorable Timothy D. DeGiusti on 11/22/17.

- 11/22/2017 [47](#) ORDER striking 37 Stipulation and Consent for Substitution of Counsel. Signed by Honorable Timothy D. DeGiusti on 11/22/17.
- 11/29/2017 [51](#) ORDER granting 50 Plaintiffs' Motion for Leave for Craig E. Hilborn to Withdraw as Counsel of Record for Plaintiff Melissa Hinkhouse. Mr. Hilborn's name and email address shall be removed from this case's official docket. Signed by Honorable Timothy D. DeGiusti on 11/29/17.
- 12/06/2017 [52](#) ORDER establishing the organizational structure as more fully set out in Order. Signed by Honorable Timothy D. DeGiusti on 12/6/17.
- 12/07/2017 [58](#) ORDER granting 53 Motion for Extension of Time to File. The parties are hereby granted a seven-day extension from December 7, 2017. Signed by Honorable Timothy D. DeGiusti on 12/7/17.
- 12/22/2017 [57](#) PROTECTIVE ORDER. Signed by Honorable Timothy D. DeGiusti on 12/22/17.
- 01/08/2018 [62](#) ORDER granting 61 Motion to Supplement the Record. Signed by Honorable Timothy D. DeGiusti on 01/08/2018.
- 01/12/2018 [65](#) ORDER on Contested Issues. Within 21 days the parties are to meet and confer and submit an agreed Proposed Case Management Order for consideration by the Court. In the event the parties cannot agree on a Proposed Case Management Order they may submit separate orders within the same time period. Signed by Honorable Timothy D. DeGiusti on 1/12/2018.
- 01/22/2018 [66](#) ORDER directing Clerk to administratively close CIV-17-1079-D. Within 30 days of the final disposition of the Wells/Higginbotham litigation, or upon other good cause, the parties may move to reopen this action, otherwise it will be deemed to be dismissed with prejudice. Signed by Honorable Timothy D. DeGiusti on 1/22/18.
- 02/02/2018 [68](#) ORDER granting 67 Joint Motion for Extension of Time. Proposed case management order due 2/21/2018. Signed by Honorable Timothy D. DeGiusti on 2/2/18.
- 02/23/2018 [70](#) Order granting 69 Unopposed Motion for Extension of Time. Parties are granted an extension until 12:00 p.m., 2/23/2108 to submit proposed case management order. Signed by Honorable Timothy D DeGiusti on 2/23/2018.
- 03/12/2018 [72](#) CASE MANAGEMENT ORDER: Order More Fully Setout. Signed by Honorable Timothy D. DeGiusti on 3/12/2018.
- 03/22/2018 [74](#) ORDER granting 73 Joint Motion to Suspend Deadlines Pending Upcoming Mediation. The 60 day responsive pleading deadline is temporarily stayed. Parties will submit an update on the status of their case resolution efforts by 3/30/2018. Signed by Honorable Timothy D. DeGiusti on 3/22/2018.

04/02/2018 [76](#) ORDER granting the 75 Joint Notice Regarding Settlement Progress. The 60 day responsive pleading deadline is stayed. Parties to submit an update on the status of the proposed settlement by 4/30/2018. Signed by Honorable Timothy D. DeGiusti on 4/2/2018.

04/26/2018 [78](#) PROTECTIVE ORDER. Signed by Honorable Timothy D. DeGiusti on 4/26/18.

05/03/2018 [80](#) ORDER granting [79] Joint Notice Regarding Proposed Settlement Progress. The 60 day responsive pleading deadline remains stayed. Parties will submit an update on the status of the contemplated settlement by 5/18/2018. Signed by Honorable Timothy D. DeGiusti on 5/3/2018.

05/08/2018 [83](#) ORDER striking Doc. No. 81 Entry of Appearance filed by Nagel Rice, LLP and Doc. No. 82 Entry of Appearance filed by Nagel Rice, LLP. The Notices of Appearance filed by Nagel Rice, LLP., do not comply with the Federal Rules of Civil Procedure or this Courts Local Rules and are hereby stricken. Signed by Honorable Timothy D. DeGiusti on 5/8/2018.

05/11/2018 [85](#) ORDER granting 84 Unopposed Motion for Expedited Status Conference. This matter is set for status conference on 5/22/2018 at 10:00 a.m. Signed by Honorable Timothy D. DeGiusti on 5/11/2018.

05/16/2018 [86](#) ORDER: This matter is set for status conference on 5/22/18 at 10:00 a.m. Appropriate counsel from the established leadership structure are required to attend. Other counsel of record may appear, but this is not required. Signed by Honorable Timothy D. DeGiusti on 5/16/2018.

05/21/2018 [88](#) ORDER: The parties have filed a [87] Joint Notice Regarding Proposed Settlement Progress. The request is GRANTED. The 60 day responsive pleading deadline remains stayed. Parties will submit an update on the status of the contemplated settlement by 5/25/2018. Signed by Honorable Timothy D. DeGiusti on 5/21/2018.

05/30/2018 [91](#) ORDER: The 60 day responsive pleading deadline remains stayed. The parties will submit an update on the status of the contemplated settlement by 06/01/ 2018. Signed by Honorable Timothy D. DeGiusti on 5/30/2018.

06/04/2018 [93](#) ORDER granting 92 Joint Notice Regarding Fully Executed Global MDL Settlement requesting a further continuance of the responsive pleading deadline. The 60 day responsive pleading deadline remains stayed. The parties will submit an update on the status of the settlement and forthcoming motion for preliminary approval by 6/15/2018. Signed by Honorable Timothy D. DeGiusti on 6/4/2018.

06/14/2018 [95](#) ORDER directing counsel to immediately notify the JPML regarding Kennedy/Orenstein so that it may consider adding the Kennedy/Orenstein class actions as tag-along actions to the MDL; directing the Clerk of Court to send a courtesy copy of this Order to the JPML. Signed by Honorable Timothy D. DeGiusti on 6/14/2018.

06/21/2018 [98](#) ORDER granting continuance of the responsive pleading deadline. The 60 day responsive pleading deadline remains stayed. Parties will submit an update on the status of the settlement and forthcoming motion for preliminary approval by 6/29/2018. Signed by Honorable Timothy D. DeGiusti on 6/21/2018.

07/02/2018 [101](#) ORDER granting continuance. The 60 day responsive pleading deadline remains stayed. Parties will submit an update on the status of the settlement and forthcoming motion for preliminary approval by 7/6/2018. Signed by Honorable Timothy D. DeGiusti on 7/2/2018.

07/09/2018 [107](#) ORDER granting [106] Joint Notice Regarding Progress of Fully Executed Global MDL Settlement requesting a further continuance of the responsive pleading deadline. The sixty day responsive pleading deadline remains stayed. The parties will submit an update on the status of the settlement and forthcoming motion for preliminary approval by 7/11/2018. Signed by Honorable Timothy D. DeGiusti on 7/9/2018.

07/24/2018 [112](#) STATUS CONFERENCE MEMORANDUM. Signed by Honorable Timothy D. DeGiusti on 7/24/2018.

08/02/2018 [116](#) ORDER granting in part and denying in part [103] Motion to Intervene and Stay Proceedings. Signed by Honorable Timothy D. DeGiusti on 8/2/2018.

08/02/2018 [117](#) ORDER granting 115 Motion for Extension of Deadline to File Opposition to Plaintiffs' Unopposed Motion for Preliminary Approval of Settlement. Intervenor is granted 21 days to submit any opposition to the Unopposed Motion for Preliminary Approval. Signed by Honorable Timothy D. DeGiusti on 8/2/2018.

08/17/2018 [118](#) ORDER: Defendants' Motions to Dismiss the Consolidated Complaint in Wells-Higginbotham v. Samsung Electronics America, Inc., et al, Case No. 17-CIV-46-D [Doc. No. 27] and [Doc. No. 28] are deemed moot. Signed by Honorable Timothy D. DeGiusti on 8/17/2018.

08/21/2018 [120](#) ORDER granting [119] Intervenor's Unopposed Motion for Extension of Time to Respond to [108] Motion for Preliminary Approval of Settlement. Responses due by 9/4/2018. Replies due by 9/19/2018. Signed by Honorable Timothy D. DeGiusti on 8/21/2018.

10/16/2018 [126](#) NOTICE of Hearing: Hearing on Motion for Preliminary Approval of Settlement set for 11/29/2018 10:00 AM in Courtroom 503 before Honorable Timothy D. DeGiusti on 10/16/2018.

10/19/2018 [128](#) ORDER: (Order more fully set out) The Court finds that to fully examine the fairness of the proposed MDL settlement to putative class members, it must consider any possible overlapping settlement proposed in the New Jersey cases recently transferred to the MDL. The Court will hear any argument the parties wish to make regarding the proposed New Jersey settlement at the November 29, 2018, hearing. Signed by Honorable Timothy D. DeGiusti on 10/19/2018.

10/24/2018 [130](#) ORDER: (Order more fully set out) Plaintiffs in the above captioned cases filed Responses in Opposition to Samsung's Motion for Reconsideration of Judge Martini's May 21, 2018, Order on October 22, 2018. As these motions were filed after the Court's Order of October 19, 2018, they are stricken. The above captioned cases are hereby stayed pending resolution of the MDL Plaintiffs' Motion for Preliminary Approval, and counsel for Plaintiffs Kennedy and Orenstein are directed to familiarize themselves with MDL Order in which the Court established a leadership structure for all cases in the MDL, as well as all Case Management Orders filed in

this case. Signed by Honorable Timothy D. DeGiusti on 10/24/2018.

Minute Entry for proceedings held before Honorable Timothy D. DeGiusti: Motion Hearing held on 11/29/2018 re 108 UNOPPOSED MOTION for Settlement (Preliminary Approval) and Memorandum of Law in Support filed by Melissa Hinkhouse, Carolina M. Zamora, William Losey, Margo Alexander, Chad Anderson, Jo Ann Ober, Theresa Dzurenda, Susan Sewell, Anika Bradley, Randa Jacobs, David Sanda, Katherine Mikrut, Joy Cooper, Colin Welsh, Candice Kellas, Michelle Soto Fielder, Diane Lane, Todd Wathen, Larry Allen, Melissa Thaxton, Suzann Moore, Jerry Wells, Jason Ward, Sylvia DeLuca, Micki Wells, Rose Wagner, Carolyn McCabe, Clayton Mulford, Cathleen Hansen, Thomas DeLuca, Peter Fraker, Malori Soria, Andres Linsey-Bell, Rhoda Tortorici, Tracy Pronstroller, Kenneth Menzer, Linda L. Raabe, Vicky Higginbotham, Steven Post, Joseph Troyan, Daniel Robinson, Harvey Ross, Michelle Madrid. (Court Reporter Christy Clark.)

11/29/2018

[134](#)

01/08/2019

[138](#)

ORDER granting 108 Motion for Settlement as more fully set out in Order. The Court will hold a Fairness Hearing on 8/1/2019 at 10:00 a.m., Central Time. Signed by Honorable Timothy D. DeGiusti on 1/8/19.

01/11/2019

[139](#)

ORDER resetting Fairness Hearing to 8/22/2019 at 10:00 a.m. The Court amends paragraph 26 of Doc. No. 138 granting preliminary approval directing the Settlement Administrator to provide a final report to the Parties no later than 10 days prior to the Fairness Hearing.. Signed by Honorable Timothy D. DeGiusti on 1/11/19.

04/30/2019

[147](#)

Order Granting 145 Motion for Extension of Time to File Response re 140 Motion for Attorney Fees and Expenses. Signed by Honorable Timothy D. DeGiusti on 4/30/19.

05/09/2019

[150](#)

Order granting 149 Plaintiffs Colleen Kennedy, David Foster, and Mitchell Orenstein's Motion for Extension of Time. Signed by Honorable Timothy D. DeGiusti on 5/9/19.

06/05/2019

[155](#)

155 ORDER granting 151 Motion to Withdraw as Attorney. Attorney John T Spragens terminated. Signed by Honorable Timothy D. DeGiusti on 6/5/2019.

06/05/2019

[156](#)

156 ORDER granting 153 Motion to Withdraw as Attorney. Attorney Philip M Oliss terminated. Signed by Honorable Timothy D. DeGiusti on 6/5/2019.

06/07/2019

[159](#)

159 ORDER granting 154 Susan L. Shin's Application for Withdrawal of Counsel for Defendants Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Best Buy Co. Inc., Lowe's Companies, Inc. and Lowe'sHome Centers LLC. Attorney Susan L Shin terminated. Signed by Honorable Timothy D. DeGiusti on 6/7/19.

06/07/2019

[160](#)

160 ORDER granting 157 Agreed Motion for Appointment of Defendants' Lead Counsel. Signed by Honorable Timothy D. DeGiusti on 6/7/19.

06/07/2019

[161](#)

161 ORDER granting 158 Defendants Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd.'s (collectively, "Samsung") Agreed Motion for Extension of Time. Signed by Honorable Timothy D. DeGiusti on 6/7/19.

165 ORDER granting 164 Agreed Motion for Extension of Time. Signed by Honorable

06/18/2019 [165](#) Timothy D. DeGiusti on 6/18/19.

06/27/2019 [168](#) ORDER granting 166 Agreed Motion for Extension of Time. Signed by Honorable Timothy D. DeGiusti on 6/27/19.

07/01/2019 [169](#) 169 ORDER granting 167 Motion for Extension of Time to Submit Reply to MDL Plaintiffs' Opposition to the Kennedy/Orenstein's Motion for Attorneys' Fees and Expenses. Signed by Honorable Timothy D. DeGiusti on 7/1/19.

07/18/2019 [170](#) ORDER granting 170 Agreed Motion for Extension of Time. Signed by Honorable Timothy D. DeGiusti on 7/18/19.

07/24/2019 [174](#) ORDER granting [172] Unopposed Motion for Extension of Time and for Expedited Status Conference. Status Conference set for 8/8/2019 02:00 PM and Fairness Hearing reset for 9/24/19 10:00 AM in Courtroom 301 before Honorable Timothy D. DeGiusti. Signed by Honorable Timothy D. DeGiusti on 7/24/19.

08/05/2019 [175](#) ORDER granting 175 Unopposed Motion for Continuance and Extension of Time. The Court hereby resets the Fairness Hearing on Monday, October 7, 2019 at 10:00 a.m.. Signed by Honorable Timothy D. DeGiusti on 8/5/19.

09/18/2019 [181](#) ORDER granting 180 Unopposed Motion to Extend Page Limit. Signed by Honorable Timothy D. DeGiusti on 9/18/19.

10/11/2019 [182](#) ORDER that the Parties submit supplemental briefs pursuant to the following schedule: Plaintiffs are to file an additional brief within twenty-one days of the issuance of this Order. Defendants and Objectors who have filed timely objections shall have twenty-one days to respond. Replies may be filed only by leave of court. Signed by Honorable Timothy D. DeGiusti on 10/11/19.

11/1/2019 [198](#) ORDER granting [197] Unopposed Motion for Extension of Time to File Supplemental Brief. Signed by Honorable Timothy D. DeGiusti on 11/1/19.

11/13/2019 [199](#) ORDER granting 199 Motion for Leave to File Movants' Counsel's Detailed Time Records In Camera. Signed by Honorable Timothy D. DeGiusti on 11/13/19.

11/14/2019 [200](#) ORDER granting [200] Motion to Withdraw as Counsel of Record. Attorney Sanford C Coats terminated. Signed by Honorable Timothy D. DeGiusti on 11/14/19.

11/14/2019 [201](#) ORDER granting [201] Unopposed Motion for Leave to File Plaintiff Supplemental Brief Under Seal. Signed by Honorable Timothy D. DeGiusti on 11/14/19.

11/18/2019 [208](#) ORDER denying [191] Objector Morgan's Motion to Strike Plaintiffs' Untimely Expert Declaration. Signed by Honorable Timothy D. DeGiusti on 11/18/19.

ORDER granting 209 Motion for Extension of Time. Defendants and Objectors who have filed

- 12/06/2019 [210](#) timely objections are granted a seven day extension, from December 5, 2019 until December 12, 2019, to file any response to 206 Plaintiffs Supplemental Brief. Signed by Honorable Timothy D. DeGiusti on 12/6/2019.
- 12/17/2019 [217](#) ORDER granting [213] Motion for Order Requiring Disclosure of Side Agreements by December 31, 2019. Signed by Honorable Timothy D. DeGiusti on 12/17/19.
- 01/29/2020 [219](#) ORDER denying 219 Court a Motion for Leave to File a Response to Plaintiffs' Response to Disclosure of Side Agreements. Signed by Honorable Timothy D. DeGiusti on 1/29/2020.
- 02/18/2020 [226](#) ORDER that the Court allows for an extension of time within which to file the finalized side agreement with New Jersey counsel. The Court extends the deadline within which side agreements are to be filed to March 2, 2020. Signed by Honorable Timothy D. DeGiusti on 2/18/2020.
- 03/03/2020 [236](#) ORDER granting 232 Defendants' Agreed Motion for Extension of Time. Parties are granted a 2 day extension from 3/2/2020 to 3/4/2020 to file fully executed side agreements. Signed by Honorable Timothy D. DeGiusti on 3/3/2020.

LINKS

[Local Rules](#)

[Judicial Panel on Multidistrict Litigation](#)

[Manual For Complex Litigation](#)