

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS J REECE, et al.,
Plaintiffs,
v.
ALTRIA GROUP, INC., et al.,
Defendants.

Case No. [20-cv-02345-WHO](#)

Case Nos. 20-cv-2512, 20-cv-2597, 20-cv-2729, 20-cv-2729, 20-cv-2778, 20-cv-2891, 20-cv-2999

ORDER RELATING CASES

Currently before me are a number of *sua sponte* referrals for determinations of relatedness and motions to relate filed in this series of cases asserting defendants Juul Labs, Inc., (“JLI”) and Altria Group, Inc., (“Altria”) entered into anticompetitive agreements. *See Reece v. Altria Group, Inc., et al.*, Case No. 3:20-cv-02345-WHO; *Blomquist v. Altria Group, Inc., et al.*, Case No. 3:20-cv-2512-VC; *Martinez v. Altria Group, Inc., et al.*, Case No. 4:20-cv-02597-JSW; *Deadwyler v. Altria Group, Inc., et al.*, Case No. 3:20-cv-02729-WHO; *Stiles v. Altria Group, Inc., et al.*, Case No. 3:20-cv-02779-WHO; *Licari v. Altria Group, Inc., et al.*, Case No. 3:20-cv-02778-WHO; and *Flannery v. Altria Group, Inc., et al.*, Case No. 4:20-cv-02891-DMR. An additional case was recently filed, *Larimore et al v. Altria Group, Inc. et al.*, Case No. 4:20-cv-02999-KW, raising similar claims based on the same alleged antitrust conduct. Generally, plaintiffs and defendants in these antitrust cases agree that the cases are related under Civil Local Rule 3-12(a) and agree that the cases should be related to the lowest numbered antitrust case, *Reece v. Altria Group, Inc.*, Case No. 20-cv-2345. These cases are certainly related to the lowest numbered *Reece* action.

Generally, plaintiffs and defendants in the antitrust cases also agree that these antitrust cases should *not* be consolidated with or be member cases in MDL No. 19-md-2913, *In Re: Juul Labs, Inc., Marketing, Sales Practices, and Products Liability Litigation* (“*Juul MDL*”). That

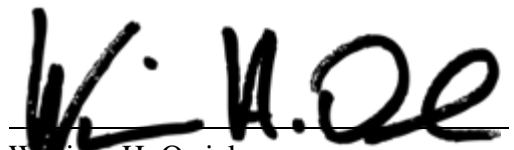
United States District Court
Northern District of California

1 Dkt. No. 421.

2 For purposes of efficiency and until the issue of whether the *Juul MDL* will encompass
3 antitrust claims is resolved, I find that each of the antitrust cases identified above should be related
4 to the lowest numbered *Reece* action. This determination is without prejudice to a future
5 determination that these antitrust cases should be related to the *Juul MDL* for purposes of
6 coordination with the MDL or consolidation with the MDL as member cases.

7 **IT IS SO ORDERED.**

8 Dated: May 7, 2020

9
10 
11 William H. Orrick
12 United States District Judge

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
United States District Court
Northern District of California