

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION**

)
) MDL No. 2:18-mn-2873-RMG
)
) **ORDER**
)
) **This Order Relates to**
) ***City of Stuart, Fl. v. 3M Co., et al.,***
) **Case No. 2:18-cv-3487-RMG**
)
)

The first bellwether trial in the AFFF Multi-District Litigation, *City of Stuart, Florida v. 3M Company*, was scheduled for trial to commence this morning, June 5, 2023. In the weeks preceding this trial date, counsel for the Plaintiff and counsel for 3M Company have been in serious settlement discussions to reach a global resolution of the claims of the water district plaintiffs pending against 3M. The parties informed the Court last evening that they have reached a stage in those discussions where they believe a final binding agreement is achievable in the near future and that they believe their time could be more effectively spent finalizing the agreement and obtaining the necessary approvals rather than commencing the trial of this case. To that end, the parties have filed with the Court a joint motion to continue this case.

After an extensive discussion with counsel last evening and consultation with the outstanding court appointed mediator in this case, retired United States District Judge Layn R. Phillips, the Court is firmly persuaded that a continuance of this trial to afford the parties the opportunity to finalize a global resolution of the water district cases in the MDL is in the interest of all of the parties to this litigation and is in the interest of justice.

Counsel are directed to provide the Court a weekly update with a final report no later than 21 days from the date of this order. If a binding agreement regarding the water district cases is not accomplished within this 21 day period, the Court will promptly reschedule this case for trial with no further continuances to be granted.

Based upon the foregoing, the Court hereby grants the parties' joint motion to continue this case.

AND IT IS SO ORDERED.

s/Richard Mark Gergel
Richard Mark Gergel
United States District Judge

June 5, 2023
Charleston, South Carolina