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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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IN RE: THE CHURCH OF JESUS CHRIST  
OF LATTER-DAY SAINTS TITHING  
LITIGATION

*This document relates to all actions.*

**INITIAL CASE MANAGEMENT ORDER**

**(MDL Pretrial Order No. 3)**

Case No. 2:24-md-03102-RJS-DAO

Chief Judge Robert J. Shelby

Magistrate Judge Daphne A. Oberg

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On May 30, 2024, the court convened an initial Case Management Conference in the above-captioned Multidistrict Litigation (MDL).<sup>1</sup> Having considered the parties' positions on scheduling and other pretrial matters, the court ORDERS as follows:

a. *Applicability.* This Order shall govern the above-captioned MDL, as well as those member actions transferred to this court by the Judicial Panel on Multidistrict Litigation's April 11, 2024<sup>2</sup> and April 22, 2024<sup>3</sup> Orders. This Order, in its present form and as amended, shall also govern any tag-along actions subsequently added to this MDL.

b. *Consolidation.* Plaintiffs shall file a Consolidated Class Action Complaint (CCAC) relating to facts and claims set forth in the Complaints filed in the member cases no later than Friday, July 12, 2024.

c. *Motion to Dismiss.* Defendants shall file a Motion to Dismiss the CCAC no later than Tuesday, September 10, 2024. The following schedule shall govern additional briefing and

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<sup>1</sup> See ECF 58, *Minute Entry*. Unless otherwise stated, the docket citations used in this order refer to the master docket.

<sup>2</sup> See ECF 1, *Transfer Order*.

<sup>3</sup> See ECF 6, *Conditional Transfer Order (CTO -1)*.

a hearing on the Motion to Dismiss:

1. Plaintiffs may file a Response to the Motion to Dismiss no later than Tuesday, November 12, 2024.
2. Defendants may file a Reply in support of the Motion to Dismiss no later than Wednesday, December 12, 2024.
3. The court will receive oral argument on the Motion to Dismiss at a hearing on Wednesday, December 18 at 9:30 a.m. Mountain Standard Time, in-person at 351 S. West Temple, Room 3.100, Salt Lake City, Utah 84101.

d. *Motion to Stay Discovery.* Defendants shall file a Motion to Stay Discovery pending resolution of the anticipated Motion to Dismiss no later than Friday, August 9, 2024.

The following schedule shall govern additional briefing on the Motion to Stay Discovery:

1. Plaintiffs may file a Response to the Motion to Stay no later than Friday, August 23, 2024.
2. Defendants may file a Reply in support of the Motion to Stay no later than Friday, August 30, 2024.

e. *Appointment of a Settlement Officer.* The parties shall meet and confer and submit no later than Friday, June 14, 2024, a joint report describing their shared or individual positions concerning a process for selecting an officer to facilitate settlement negotiations. The report shall also designate one of Plaintiffs' attorneys and one of Defendants' attorneys to serve as settlement liaisons.

f. *Proposed Protective Order and ESI Protocol.* The parties shall file a stipulated proposed protective order and ESI protocol, or if they cannot agree, individual proposed protective orders and ESI protocols, no later than Monday, July 29, 2024. Until then, the court's

Standard Protective Order shall apply.<sup>4</sup>

g. *Temporary Stay.* Save for matters specifically addressed herein, all case management-related requirements and deadlines applicable to this MDL and its member cases under the Federal Rules of Civil Procedure and Local Rules of Civil Practice for the District of Utah are stayed pending the court's resolution of Defendants' Motion to Stay Discovery.

h. *Supplemental Orders.* As necessary, the court shall issue additional Case Management Orders to govern the administration of this action. These Orders shall supplement this Order, unless otherwise stated.

DATED this 3rd day of June 2024.

BY THE COURT:

  
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ROBERT J. SHELBY  
United States Chief District Judge

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<sup>4</sup> See DUCivR 26-2(a).