

**BEFORE THE UNITED STATES JUDICIAL PANEL  
ON MULTIDISTRICT LITIGATION**

**IN RE: THE CHURCH OF JESUS )**  
**CHRIST OF LATTER-DAY SAINTS ) MDL No. 3150**  
**SEXUAL ABUSE LITIGATION )**

**MOTION FOR MISCELLANEOUS  
RELIEF TO CONTINUE PANEL HEARING**

Pursuant to Rules 6.1 and 6.3 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, Defendants The Church of Jesus Christ of Latter-day Saints (the “Church”), Temple Corporation of The Church of Jesus Christ of Latter-day Saints and various of the Church’s incorporated and unincorporated ecclesiastical subdivisions (collectively, the “Church Defendants”) respectfully request that the Panel enter an order continuing the Hearing Session in the above-captioned matter currently set for March 27, 2025 to May 29, 2025, which we understand is the next scheduled Hearing Session. Good cause exists for this relief due to a previously-scheduled April 10, 2025 mediation between the Church Defendants and Plaintiffs represented by Slater Slater Schulman LLP (the “Slater Plaintiffs”),<sup>1</sup> which may well resolve 39 of the 48 cases for which transfer and consolidation has been sought (the “Actions”). The Slater

<sup>1</sup> Slater Slater Schulman LLP is counsel for the plaintiffs in 39 of the 48 Actions listed in the Amended Schedule of Actions (JPML Dkt. 2) filed by Movants Stephanie Thomas and Jane Doe 2 (“Movants”): Jane Roe 7 (Claim 1), John Roe JJ 93 (Claim 2), Jane Roe LM 89 (Claim 3), Jane Roe MB 87 (Claim 4-remanded), John Roe EB 67 (Claim 5-remanded), John Roe DC 57 (Claim 6-remanded), John Roe PD 58 (Claim 7), John Roe AD 30 (Claim 8), John Roe AS 32 (Claim 9), Jane Roe EA 10 (Claim 10-remanded), Jane Rue AA 102 (Claim 11), Jane Roe SL 48 (Claim 12), Jane Roe RL 8 (Claim 17), Jane Roe JW 142 (Claim 18), Jane Roe EO 5 (Claim 19), Jane Roe RC 23 (Claim 20), John Roe DR 63 (Claim 21), John Roe DG 59 (Claim 22), John Roe NR 52 (Claim 23), Jane Roe CP 76 (Claim 24), Jane Roe MB 69 (Claim 25), Jane Roe LB 61 (Claim 26), John Roe WC 36 (Claim 27), Jane Roe HM 95 (Claim 28), John Roe MG 60 (Claim 29-remanded), John Roe DJ 40 (Claim 30-remanded), Jane Roe JT 34 (Claim 31), Jane Roe SR 3 (Claim 32), John Roe JB 84 (Claim 33-remanded), John Roe DC 90 (Claim 34), Jane Roe TT 80 (Claim 36), John Roe AJ 1 (Claim 37), John Roe PS 43 (Claim 38), Jane Roe AB 51 (Claim 39), John Roe RV 47 (Claim 40), John Roe JB 65 (Claim 41), John Roe CS 88 (Claim 42), Roe JS 6 (Claim 43), Gina Avery (Claim 46).

Plaintiffs do not oppose this request. In support of this motion, the Church Defendants state as follows.

1. On February 3, 2025, Movants (i.e., plaintiffs in Thomas v. Doe 1, No. 2:25-cv-00834 (C.D. Cal.), and Doe v. Doe 1, No. 2:25-cv-00713 (C.D. Cal.)) filed a motion pursuant to 28 U.S.C. § 1407 for transfer and consolidation of 48 Actions to the United States District Court for the Central District of California. See Mot. for Transfer (JPML Dkt. 1); Am. Mot. for Transfer (JPML Dkt. 5-2); Am. Mem. in Supp. (JPML Dkt. 5-1).<sup>2</sup>

2. Movants state in their supporting memorandum for their motion that they “conferred with counsel for the 48 Actions to discuss whether alternatives to centralization, including seeking § 1404 transfer to one district court, and information coordination could be accomplished.” Am. Mem. in Supp. (JPML Dkt. 5-1) at 4. This statement, however, is at best only partly true. Movants had only preliminary, cursory discussions with counsel for the Slater Plaintiffs and did not discuss the upcoming mediation between the Church Defendants and the Slater Plaintiffs nor whether there existed alternatives to centralization. Moreover, Movants did not confer with counsel for the Church Defendants at all before filing their motion.

3. On February 14, 2025, the Panel entered an order requiring counsel to file a Notice of Presentation or Waiver of Oral Argument by March 3, 2025 and set the Hearing Session in this matter for March 27, 2025 in Charlotte, North Carolina. See Hearing Order (JPML Dkt. 46). The Church Defendants and the Slater Plaintiffs both intend to present argument at the Hearing Session. The Church Defendants request, however, for the reasons noted below that the Hearing Session be

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<sup>2</sup> Counsel for Movants (i.e., Andrews & Thornton) is counsel for the plaintiffs in only seven of the 48 Actions they seek to transfer and consolidate, meaning counsel for the Slater Plaintiffs are handling over five times as many of the 48 Actions for which transfer and consolidation is sought as compared to Andrews & Thornton.

continued to the May 29, 2025 Hearing Session. Importantly, the Slater Plaintiffs do not oppose this request.

4. This Panel may “prescribe rules for the conduct of its business.” 28 U.S.C. § 1407(f). This includes the power to “continue its consideration of any scheduled matters.” J.P.M.L. R. 11.1(a). The Panel has in previous cases expressed reservation about prematurely centralizing cases where there is the likelihood that many of the cases could be resolved through settlement. See, e.g., In re NEC Networks, 576 F. Supp. 3d 1375, 1377 (J.P.M.L. 2021) (“Centralization at this time is premature and could delay a class-wide settlement with little or no benefit to the parties and putative class members.”); In re Hyundai, 412 F. Supp. 3d 1341, 1343-44 (J.P.M.L. 2019) (declining to centralize actions where a settlement-in-principle purporting to resolve most claims had been reached).

5. These concerns are fully present here. The Church Defendants and the Slater Plaintiffs are scheduled to engage in mediation on April 10, 2025 to consider a global resolution of all cases between them. This mediation date was set on December 18, 2024, long before Movants filed on February 3, 2025 their motion for transfer and consolidation. As noted, the mediation has the potential to resolve 39 of the 48 Actions that Movants seek to have centralized, as well as at least ten potential tag-along cases currently being litigated by the Slater law firm.

6. Premature centralization could complicate or delay the resolution the Church Defendants and the Slater Plaintiffs are attempting in good faith to achieve. These concerns, however, would be addressed if argument before the Panel on the pending transfer and consolidation motion were continued to the May 29, 2025 Hearing Session, at which time the Church Defendants and the Slater Plaintiffs will know whether a global resolution between them

has been reached or is likely and the Panel will thus have a better sense of the need for centralization.

7. More specifically, because Movants rely heavily on the number of cases as grounds for centralization, continuing the hearing to the May 29, 2025 Hearing Session would bring clarity regarding the number of cases actually at issue in Movants' motion and allow all parties to present arguments based on more complete information. See Am. Mem. in Supp. (JPML Dkt. 5-1) at 10-11; In re Hyundai, 412 F. Supp. 3d at 1343-44. To be sure, the Church does not believe that centralization would be appropriate for any subset of the 48 Actions, because the requirements of Section 1407 are not met for all the reasons addressed in the February 27, 2025 submission to the Panel filed by the Church Defendants. See Church Defendants Opp. (JPML Dkt. 62) at 7-18. But knowing whether there are 48 Actions or only nine can only benefit the Panel's consideration, including on the issue of whether there are adequate alternatives to centralization. C.f., In re ATM Interchange Fee, 350 F. Supp. 2d 1361, 1362 (J.P.M.L. 2004) (denying transfer where need for centralization may be resolved by pending motions to transfer venue).

8. Continuing the currently scheduled hearing in this matter to the May 29, 2025 Hearing Session will not prejudice the parties before this Panel or in the respective underlying Actions. Nor will the short continuance unnecessarily delay any proceedings or cause additional expense to any party.

9. Counsel for the Church Defendants have contacted counsel for Movants as well as counsel for the two plaintiffs not represented by either counsel for Movants or counsel for the Slater Plaintiffs (i.e., Romanucci & Blandin (counsel for Elizabeth Peterson (Claim 45)) and Rogers & Cover, PLLC (counsel for H.B. (Claim 48))). Counsel for Movants represented that they oppose continuing the Hearing Session. Romanucci & Blandin and Rogers & Cover, PLLC

represented that they also oppose the request. As noted, however, counsel for the Slater Plaintiffs do not oppose the request.

WHEREFORE, for the reasons set forth above, the Church Defendants respectfully request that the Panel grant this motion and enter an order continuing the Hearing Session currently scheduled for March 27, 2025 to May 29, 2025.

Dated: March 7, 2025

Respectfully submitted,

/s/ Mark S. Mester

Mark S. Mester, Counsel for Defendants  
The Church of Jesus Christ of Latter-day Saints  
and Related Entities

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