

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE ABBOTT LABORATORIES  
INFANT FORMULA SHAREHOLDER  
DERIVATIVE LITIGATION

Case No. 1:22-cv-05513

Hon. Sunil R. Harjani  
Hon. Laura K. McNally

**JOINT STATUS REPORT**

Plaintiffs International Brotherhood of Teamsters Local 710 Pension Fund (“Teamsters Pension Fund”) and Southeastern Pennsylvania Transportation Authority (“SEPTA” and collectively with Teamsters Pension Fund, “Plaintiffs”), Individual Defendants,<sup>1</sup> and Nominal Defendant Abbott Laboratories (“Abbott” or the “Company”) (collectively with Plaintiffs and Defendants, the “Parties”) respectfully submit the following joint status report.

**I. STATUS OF DISCOVERY**

Since the Parties most recent status report on January 28, 2025, the Parties have continued to meet and confer regarding Plaintiffs’ Requests for Production and Interrogatories to Defendants and Abbott. Plaintiffs’ position is that the Parties have reached an impasse regarding (i) Abbott’s document collection and production; (ii) the Individual Defendants’ document collection and production; and (iii) the relevant time period as to both Abbott and the Individual Defendants. Plaintiffs will be filing a motion to compel on these items forthwith.

The Company’s position is that it has met and conferred with Plaintiffs several times, and recently proposed to make a substantial document production, which Abbott believed would eliminate several of the pending issues between the parties requiring resolution. Abbott did not hear back from Plaintiffs on their proposal, and

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<sup>1</sup> “Individual Defendants” are Robert B. Ford (“Ford”), Robert J. Alpern (“Alpern”), Roxanne S. Austin (“Austin”), Claire Babineaux-Fontenot (“Babineaux-Fontenot”), Sally E. Blount (“Blount”), Paola Gonzalez (“Gonzalez”), Michelle A. Kumbier (“Kumbier”), Edward M. Liddy (“Liddy”), Darren W. McDew (“McDew”), Nancy McKinstry (“McKinstry”), Phebe N. Novakovic (“Novakovic”), William A. Osborn (“Osborn”), Michael F. Roman (“Roman”), Daniel J. Starks (“Starks”), John G. Stratton (“Stratton”), Glenn F. Tilton (“Tilton”), Miles D. White (“White”), Christopher J. Calamari (“Calamari”), and Robert E. Funck (“Funck”).

instead learned on March 28, 2025, that Plaintiffs intend to file a motion to compel despite Abbott's most recent offer. Abbott remains willing to meet and confer with Plaintiffs, and expects the parties can reach a compromise. Abbott is already in the process of preparing a substantial production to Plaintiffs and remains willing to coordinate with Plaintiffs on further appropriate productions relevant and proportional to the remaining claims Plaintiffs are pursuing purportedly on the Company's behalf.

To the extent Plaintiffs file a motion to compel, the Company respectfully requests the opportunity to brief the issues therein. The Company acknowledges the Court's standing order states the following with respect to discovery-related motions: "The Court will review the motion and determine whether a hearing is necessary. Response briefs should not be filed absent order of the Court." The Company respectfully believes briefing these issues in advance of a hearing will be helpful to the Court in light of the unique nature of the dispute and Plaintiffs' reliance on dicta in the District Court's order on the SLC's motion to stay.

The Company does not take a position on Plaintiffs' purported disputes with the Individual Defendants.

The Individual Defendants' position is that the Parties are not yet at an impasse as to the Individual Defendants' document collection and production.<sup>2</sup> Plaintiffs first set out their position on the relevant issues in writing on March 27, 2025, two business days before this Joint Status Report. The Individual Defendants are considering the arguments in that letter and intend to provide a written response.

## II. OTHER MATTERS

The Parties do not believe that there are any issues that currently warrant the Court's intervention or attention, outside of the forthcoming motion.

The Parties will make themselves available should the Court have any questions.

Dated: March 31, 2025

Respectfully submitted,

/s/ Carol V. Gilden

Carol V. Gilden (IL Bar No.: 6185530)

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<sup>2</sup> The Individual Defendants do not dispute that the Parties are at an impasse regarding the relevant time period as to the relevant time period as to the Individual Defendants and take no position on Plaintiffs' purported disputes with Abbott.

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