

MASS TORTS

Untangling the Threads: The Hair Relaxer MDL Enters a Defining Phase

Centralized in the Northern District of Illinois as in re: *Hair Relaxer Marketing, Sales Practices, and Products Liability Litigation*, No. 1:23-cv-00818 (N.D. Ill.), the Hair Relaxer multidistrict litigation has entered the phase that defines complex mass tort cases, where careful preparation meets consequence and every piece of evidence faces exacting scrutiny. At the root of the federal MDL lie chemical hair relaxers and the allegations that exposure causes endometrial and ovarian cancers. With more than 10,000 actions pending, the court now turns to a representative bellwether subset, the proving ground for questions as sophisticated and detailed as the science behind them.

In the spring of 2025, after years of intensive document discovery, the parties selected an initial bellwether cohort of thirty-two representative cases to probe the litigation's core questions. Following the bellwether selections, Plaintiffs and Defendants began depositions—plaintiffs of defendants' fact witnesses, defendants of plaintiffs and their fact witnesses—meticulously weaving together the threads of evidence that will shape legal strategy and trial preparation.

Bellwether cases are not mere procedural checkpoints but the prisms through which liability, causation, and damages are tested under a crucible of discovery, revealing which claims may hold and which may falter. The bellwether process, structured under Case Management Order No. 15, implements that function by narrowing the case pool through focused



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discovery and trial preparation. ECF No. 1120. By mid-February of 2026, the parties will submit position papers reducing the pool to twelve cases for deeper discovery and trial workup, with the court ultimately designating ten cases

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positioned to proceed as trials. This approach accords with the *Manual for Complex Litigation* (Fourth) §22.315, which recognizes bellwether trials as an essential mechanism for evaluating the merits and values of mass tort claims, and has been repeatedly endorsed by courts in Illinois and elsewhere, including in re *Testosterone Replacement Therapy Prods. Liab. Litig.*, No. 1:14-cv-01748, MDL No. 2545, ECF No. 467 (N.D. Ill. Nov. 6, 2014), and in re *Yasmin & Yaz (Drospirenone) Mktg., Sales Practices, & Prods. Liab. Litig.*, MDL No. 2100, ECF No. 1329 (S.D. Ill. 2012). Science remains the litigation's

compass, mapping the terrain of causation, guiding expert analysis, and shaping the evidence that will withstand judicial review. The parties have disclosed their general liability experts under the structured timeline of CMO No. 15. Federal Rules of Evidence 702 (*Daubert*) motions will follow to determine which scientific theories and methodologies are admissible. Case-specific and non-general causation experts are scheduled for disclosure in the summer of 2026, with discovery, depositions, and motions continuing through late 2026 and early 2027. 4-5, ECF No. 1120.

On Jan. 8, 2026, the court convened Science Day, a non-adversarial educational forum in which experts from both sides addressed the epidemiology of ovarian and endometrial cancers, the chemical composition of hair relaxers, and alleged estrogenic and carcinogenic mechanisms of causation, scrutinizing the scientific literature. Although non-evidentiary and not determinative under Rule 702, Science Day anchored a common scientific framework for the litigation. CMO No. 20, ECF No. 1285. This approach mirrors best practices endorsed by the *Manual for Complex Litigation* (Fourth) §§11.51, 22.315, which encourage structured educational tools in scientifically complex cases to promote clarity and efficiency.

The Hair Relaxer MDL has moved beyond the mechanics of case aggregation and now turns to the rigor of expert analysis. Bellwether cases, scientific inquiry, and deadlines now converge to shape the trajectory of the litigation and the potential fate of thousands of claims. Threads are being untangled, patterns are emerging, and the stakes are no longer hypothetical, signaling that the litigation has entered its defining phase.

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