

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

**CIVIL HEARING**

In Re: Levaquin Products Liability	)	<b>COURT MINUTES</b>
Litigation,	)	BEFORE: John R. Tunheim
	)	U.S. District Judge
This document also relates to:	)	
	)	Case No: 08-1943 & 08-5742 (JRT)
Clifford Straka, et al.	)	Date: December 28, 2011
	)	Deputy: Holly McLelland
Plaintiffs,	)	Court Reporter: Kristine Mousseau
	)	Courthouse: Minneapolis
v.	)	Courtroom: 13E
	)	Time Commenced: 9:50 am
Johnson & Johnson, et al.	)	Time Concluded: 11:40 am
	)	Time in Court: 1 Hour and 50 Minutes
Defendants.	)	

Pretrial Conference before John R. Tunheim, United States District Judge, at Minneapolis, Minnesota.

**APPEARANCES:**

Plaintiff: Ronald Goldser, James Morris, David Cialkowski, Genevieve Zimmerman  
Defendant: Tracy Van Steenburgh, Douglas Moore, Scott Smith  
Phone: Lewis Saul, Ed Coleman

**PROCEEDINGS:**

**Plaintiff's Motions**

(j) Exclude Testimony of Dr. James Larson [#104] - **DENIED**

**Defendants' Motions**

(c) Exclude Expert Testimony of Plaintiff's Treating Physicians [#38] - **DENIED**

(k) Exclude Post-2006 evidence [#100] - **DENIED**

3. Jury questionnaire, voir dire, jury instructions
  - The Court will finalize the jury questionnaire prior to the start of the trial.
4. Bifurcation of punitive damages
  - No issue at this time.
5. Trial time allocation.
  - Plaintiffs will have 38 trial hours and defendants will have 35 trial hours.
6. Feigal teaching powerpoints
  - Defendants to submit documents to the Court for *in camera* review.
7. Plaintiff Authorizations
  - To be addressed by the Court during trial, if necessary.
8. Deposition of Dr. Ryberg
  - Plaintiffs to determine if deposition can be done this week.

**Trial to begin: January 3, 2012 at 8:30 a.m.**

s/Holly McLelland  
Calendar Clerk