

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

STATUS CONFERENCE

| | | |
|------------------------------------|---|-----------------------------------|
| In Re: Levaquin Products Liability |) | COURT MINUTES |
| Litigation, |) | BEFORE: John R. Tunheim |
| |) | U.S. District Judge |
| Plaintiff, |) | |
| |) | Case No: 08-1943 JRT |
| v. |) | Date: December 17, 2015 |
| |) | Deputy: Heather Arent-Zachary |
| |) | Court Reporter: Kristine Mousseau |
| |) | Time Commenced: 11:38 am |
| Defendant. |) | Time Concluded: 11:49 am |
| |) | Time in Court: 11 Minutes |

Hearing on: Status Conference

1. Cases Pending

Defense counsel reported that there are currently 19 cases pending in the MDL. 18 of those cases are awaiting settlement paperwork, including 10 cases expected to finish within approximately the next month. For the other 8 cases, defense counsel informed the Court that they intended to send plaintiffs' counsel letters updating them and requesting that they attend the next status conference. With regard to the final pending case, defense counsel reported that settlement discussions are ongoing with a pro se plaintiff.

Defense counsel also informed the Court that of the 90 cases transferred or remanded, only 22 remain pending in those districts, with the rest either disposed of on summary judgment, dismissed, or resolved in another manner.

2. Tummolo case

Defense counsel updated the Court on the Tummolo case, which is not on the active MDL list. The Tummolo case was closed in 2014 after the Court received no response to an order to show cause. Plaintiff's counsel recently contacted defense counsel to attempt to settle or reopen the case. After receiving an offer, plaintiff's counsel suggested that she would seek a motion to vacate instead. At this point plaintiff has not filed a motion to vacate. Defense counsel informed the Court that he would keep in contact with plaintiff's counsel.

3. Future status conferences/status of MDL

Next Status Conference: Wednesday, February 17, 2016, at 2:00 PM.

APPEARANCES:

Plaintiff: Jacqueline Olson
Defendant: Tracy Van Steenburgh Cort Sylvester

On the phone: Ed Coleman

s/Heather Arent-Zachary
Courtroom Deputy Clerk