

**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: February 17, 2016
	)	Deputy: Heather Arent-Zachary
	)	Court Reporter: Kristine Mousseau
	)	Time Commenced: 4:16 pm
Defendant.	)	Time Concluded: 4:28 pm
	)	Time in Court: 12 Minutes

Hearing on: Status Conference

1. Cases Pending

Defense counsel reported that there are currently 18 cases pending in the MDL. The DeFelice case is active and in the process of discovery. The Watson case is settled and paperwork is being prepared for dismissal. Ten other cases are waiting for paperwork and will soon be ready for dismissal.

Defense counsel reported that in six pending cases, the parties previously reached a settlement, but defense counsel never received final paperwork. Defense counsel sent plaintiffs' counsel letters requesting that they attend the next status conference. In four out of the six cases, defense counsel successfully made contact with counsel for the plaintiffs, and they hoped to finalize the paperwork soon. With regard to the remaining two cases, Castillo and Ditolla, defense counsel did not hear back from plaintiffs' counsel. The Court agreed that defense counsel should prepare the papers for orders to show cause and submit them to the Court. If plaintiffs' counsel in those cases do not respond to defense counsel before March 1, 2016, the Court will issue the orders to show cause at that time.

1. Remand/Transferred Cases

Defense counsel reported that of the cases transferred or remanded 52 had settled, 19 were dismissed, and 19 remained open.

2. Tummolo Case

Plaintiff's counsel reported on the status of the Tummolo case. She stated that a few years ago certain documents were not sent to the defendants, which resulted in dismissal. Plaintiff's counsel stated that she would like the case put back on active calendar and intended to apply to have the case restored. Defense counsel stated that the case is currently dismissed and that Plaintiff would need to file a motion to vacate the dismissal, which defense counsel would decide whether to oppose. The Court stated that plaintiff should file a motion to vacate with supporting reasons within the next two weeks, after which the defense counsel would have an opportunity to respond.

3. Future status conferences/status of MDL

Next Status Conference: Monday March 28, 2016 at 3:00 PM.

APPEARANCES:

Plaintiff: Jacqueline Olson

Defendant: Tracy Van Steenburgh, Cort Sylvester

On the phone: Kristen Sinnott, Julia Young

s/Heather Arent-Zachary
Courtroom Deputy Clerk