

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

In re:
Levaquin Products
Liability Litigation

Multi-District Litigation
08-md-1943

This document refers to:
Straka v. Johnson and Johnson et al
08-5742 JRT

Joint Status Conference Agenda
December 27, 2011

The parties jointly submit the following list of items as a proposed Agenda for the status conference scheduled on December 27, 2011:

1. Plaintiff's Motions
 - (a) Preclude Use of Blow Ups and Call-outs (argue)
 - (b) Exclude Evidence that approval of label changes includes review of tendon label (argue)
 - (c) Preclude reference to Competitors' Labels (submit)
 - (d) Preclude Use of You Tube exercise videos (defer)
 - (e) Permit videotaping of expert testimony to preserve for future trials (argue)
 - (f) Permit Trial Testimony of Dr. Peter Layde (argue)
 - (g) Exclude certain defense cross examination of Dr. Zizic (argue)
 - (h) Exclude Expert Testimony of Dr. Jack Bert (submit)
 - (i) Exclude Expert Testimony of Dr. David Feigal (submit)
 - (j) Exclude Testimony of Dr. James Larson (submit)
 - (k) Omnibus Motions (argue #18, 19, 20, 21, 22)
 - (l) Preclude Use of Depositions of Drs. Coetzee and Harris (moot)

2. Defendants' Motions
 - (a) Response to punitive damages (argue)
 - (b) Summary Judgment (argue)
 - (c) Exclude Expert Testimony of Plaintiff's Treating Physicians (argue)
 - (d) Exclude Blume testimony re pre-empted claims (argue)
 - (e) Exclude Certain Opinions of Dr. Zizic (argue)
 - (f) Preclude Plaintiff From Using at Trial Dr. Layde's Prior Deposition and Trial Testimony and Report (argue)

- (g) Exclude evidence of “Ghostwriting” (submit)
 - (h) Exclude Evidence of Adverse Events (submit)
 - (i) Exclude Citizens’ Petitions (submit)
 - (j) Exclude Foreign Regulatory Evidence (argue)
 - (k) Exclude Post-2006 evidence (argue)
 - (l) Various Issues (submit)
3. Jury questionnaire, voir dire, jury instructions and special verdict
 4. Bifurcation of punitive damages
 5. Trial time allocation.
 6. Feigal teaching powerpoints
 7. Plaintiff Authorizations
 8. Deposition of Dr. Ryberg

Dated: December 26, 2011

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