

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

**STATUS CONFERENCE**

In Re: Levaquin Products Liability	)		
Litigation,	)		
	)		<b>COURT MINUTES</b>
	)		BEFORE: John R. Tunheim
	)		U.S. District Judge
Plaintiff,	)		
	)	Case No:	08-1943 JRT
v.	)	Date:	March 11, 2015
	)	Deputy:	Heather Arent-Zachary
	)	Court Reporter:	Tim Willette
	)	Time Commenced:	11:28 a.m.
Defendant.	)	Time Concluded:	11:33 a.m.
	)	Time in Court:	5 Minutes

Hearing on: Status Conference

**1. Cases Pending**

Defense counsel reports that there are now only 89 cases remaining in the MDL. All but 18 of those cases are nearly ready for dismissal, pending a finalizing step such as a signed settlement. Nine of the remaining 18 are cases with responses from Orders to Show Cause that will now be transferred or remanded to the appropriate district court.

**2. Pro Se Cases**

There are eight remaining pro se plaintiffs who indicated, in response to an Order to Show Cause, that they wish to proceed with their action. Five are ready for remand to an appropriate district court, and three are ready for transfer. One additional plaintiff is now represented by counsel, and Defense counsel reports that the case is ready for transfer. The Court determined that it is proper at this time to remand and transfer those cases, rather than waiting on any additional plaintiffs who may need to be remanded or transferred in the future.

**3. Miscellaneous**

The Court issued an Order to Show Cause in the Hankins, Ilardi, and Knight cases, with a deadline for responses of March 30, 2015. Defense counsel is awaiting responses from those three plaintiffs. Defense Counsel also reported that two additional plaintiffs—Burns and Watson—have not responded to settlement offers, and the Court will issue an Order to Show Cause for each of those plaintiffs. The parties reached a settlement agreement in the Wangstad case during mediation with former Magistrate Judge Boylan, pending a resolution of the common benefit fund contribution waiver issue.

**4. Common Benefit Fund Update**

Plaintiffs' liaison counsel reported that he recently met with New Jersey counsel to discuss how to divide the substantial amount of money in the common benefit fund between New Jersey and the MDL. Plaintiffs' liaison counsel reached an agreement with New Jersey counsel on this issue, which they will present to the Court for the Court's approval so that the funds can begin to be dispersed.

**Next Status Conference: Tuesday, April 21, at 11:00 AM.**

APPEARANCES:

Plaintiff: Charles Zimmerman  
Defendant: Tracy Van Steenburgh, Cort Sylvester  
Phone: Ed Coleman

s/Heather Arent-Zachary  
Courtroom Deputy Clerk