

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

STATUS CONFERENCE

In Re: Fluoroquinolone Products Liability	)	COURT MINUTES
Litigation,	)	BEFORE: John R. Tunheim
	)	U.S. District Judge
Plaintiff,)	
	)	Case No: 15-2642 JRT
v.	)	Date: December 1, 2016
	)	Deputy: Heather Arent-Zachary
	)	Court Reporter: Maria Weinbeck
	)	Time Commenced: 2:30 pm
Defendant.	)	Time Concluded: 2:48 pm
	)	Time in Court: 18 Minutes

Hearing on: Status Conference

1. Status of Litigation

Counsel reported that there are approximately 548 Janssen cases, 155 Bayer cases, and 78 Bayer and Janssen cases in the MDL. There are 30 cases pending in Pennsylvania state court and 1 pending in California state court.

2. PTO-3, PFS deficiencies

The parties reported that they are continuing to work through PFS deficiencies. The parties agreed that two cases with deficiencies were ripe for the Court's consideration, and stated that they would file a proposed order to show cause promptly.

3. Bellwether Protocol

The parties reported that they are engaged in further discussions regarding the proposed bellwether protocols, and asked the Court to delay entering an order, so that they could seek an agreement.

4. McKesson

Plaintiffs reported that they have agreed to dismiss McKesson from all cases within the MDL, and that they would submit proposed orders to the Court. Plaintiffs also noted that this action would moot the pending motions to remand in several MDL cases.

5. Discovery to PSC

The parties reported that they continue to meet and confer, and if they cannot resolve disputes, they will submit a motion to the Court.

6. Common Benefit Order

The parties reported that they have identified additional issues regarding the Common Benefit Order, and asked that the Court vacate the order while they confer regarding the dispute. The Court stated that it would vacate the order and await a new proposed order.

7. Science Day and Scheduling

Science Day, as described in the Science Day Protocol, remains scheduled for January 17, 2017.

Next Status Conference: Tuesday, February 21, 2017, at 2:00 p.m.

APPEARANCES:

Plaintiffs: Bill Robins, Russell Budd, Yvonne Flaherty, Thomas Sims, R. Jason Richards, David Wool, Christopher Nidel, Tad Thomas

Defendants: Tracy Van Steenburgh, Cicely Miltich, Andrew Solow, James Murdica

On the phone: Ericka Downie, Lori Leskin, Ahmed Diab, James Sill, Katie Griffin, Jamie Goldstein, Sarah Wolter, Tom Cullen, Jenay Moshkovich, Kathy Lee, Olga Viner

s/Heather Arent-Zachary
Courtroom Deputy Clerk