

**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: May 31, 2017
	)	Deputy: Heather Arent-Zachary
	)	Court Reporter: Kristine Mousseau
	)	Time Commenced: 2:35 pm
Defendant.	)	Time Concluded: 2:59 pm
	)	Time in Court: 24 Minutes

Hearing on: Status Conference

1. Status of Litigation

Counsel reported that there are approximately 260 cases involving Bayer or Bayer and Johnson & Johnson pending in the MDL.

Counsel reported that they have not yet spoken with Judge Young regarding the Pennsylvania cases, but they anticipate that, even under a new schedule, the Pennsylvania cases would still reach trial ahead of the MDL cases. Counsel are working on a proposal to reset the Pennsylvania cases, in state or federal court, but they anticipate that at least one plaintiff will decline the reset and go to trial ahead of the MDL's schedule.

2. Update on Order to Show Cause and Proposed Order of Dismissal

The Court received the proposed order of dismissal regarding the three cases subject to an April 4 Order to Show Cause. The Court stated that it would enter the order promptly.

3. Proposed Order Regarding Service of Bayer Pharma AG

Counsel reported that they had reached agreement and would submit a proposed order regarding waiver of service for the foreign entity, Bayer Pharma AG.

4. Discovery Update

Counsel reported that Plaintiffs have begun taking depositions of defense witnesses and Defendants have begun taking depositions of bellwether plaintiffs. The parties continue to schedule additional depositions within these categories, after which they will move on to physician depositions. Bayer has also completed the first round of custodial document productions.

5. Parties Request to Amend Scheduling Orders

The parties reported that they reached an agreement to amend Pretrial Order 13 and they will submit a proposed order to the Court reflecting their agreement. The primary change would be to extend the discovery cut-off date until the end of October. The trial date would remain the same.

6. Scheduling July and August Status Conferences

Upcoming Status Conferences:

1. Wednesday, June 28, 2017, at 3:00 p.m.
2. Tuesday, August 1, 2017, at 2:00 p.m.

APPEARANCES:

Plaintiffs: Russell Budd, Yvonne Flaherty, Thomas Sims
Defendants: Lori Leskin, Andrew Solow, Cicely Miltich

On the phone: Lindsay Stevens, Barbara Nevin, R. Jason Richards, Michael Suffern, Kristen Barton, Mark Diao, Kathy Lee, Katie Griffin, John Abaray, Chris Nidel, Andrea Hirsch, David Wool

s/Heather Arent-Zachary
Courtroom Deputy Clerk