

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: STRYKER REJUVENATE AND  
ABGII HIP IMPLANT PRODUCTS  
LIABILITY LITIGATION

MDL No. 13-2441 (DWF/FLN)

**SECOND AMENDED PRETRIAL  
ORDER NO. 11**

**AMENDING DIRECTION OF  
SERVICE OF PLAINTIFFS'  
PRELIMINARY DISCLOSURES AND  
FACT SHEETS**

On February 28, 2014, the Court entered Amended Pretrial Order No. 11 (Doc. No. 197), which directed the manner by which service of Plaintiffs' Preliminary Disclosures and Fact Sheets shall be made in actions filed or transferred to MDL No. 13-2441 (DWF/FLN), as required by Pretrial Order No. 8. Defendants seek further amendment of Pretrial Order No. 11 for the purpose of directing service upon Defendants' Lead Counsel, as identified in Amended Pretrial Order No. 5 (Doc. No. 820), and the e-mail addresses designated for electronic service. Based thereon, **IT IS HEREBY ORDERED** that:

1. Plaintiffs must serve Defendants by electronically serving their Preliminary Disclosures and Fact Sheets upon counsel for Defendants, Gibbons P.C., via secure e-mail, as follows:
  - a. Plaintiffs must e-mail encrypted/password-protected PDFs of their Preliminary Disclosures to

**REJABG\_DisclosuresMDL@gibbonslaw.com.** The password for the file shall be sent in a separate e-mail to

**REJABG\_DisclosuresMDL@gibbonslaw.com.** Under no circumstances should the password be sent in the same e-mail with the encrypted/password protected PDF.

b. Plaintiffs must e-mail encrypted/password protected PDFs of their Fact Sheets to **REJABG\_PFSMDL@gibbonslaw.com.** The password for the file shall be sent in a separate e-mail to **REJABG\_PFSMDL@gibbonslaw.com.** Under no circumstances should the password be sent in the same email with the encrypted/password protected PDF.

c. Counsel for Plaintiffs are urged to use the Client Portal provided by MDL Plaintiffs' Counsel-only website ([www.stryker-mdl.com](http://www.stryker-mdl.com)) for the submission of both Preliminary Disclosure Forms and Plaintiff Fact Sheets. When submitted via the Client Portal, Plaintiffs' Liaison Counsel to the District Court assumes responsibility for electronic service of the Preliminary Disclosure Forms and Plaintiff Fact Sheets as described above, and the submitting Plaintiff's counsel has no further obligation with respect to service.

d. In the event that a Plaintiff counsel does not utilize the Client Portal to submit both the Preliminary Disclosure Form and Plaintiff Fact

Sheet, a courtesy hard copy of both documents must be provided to

Plaintiffs' Liaison Counsel at:

Anthony J. Nemo  
Meshbesh & Spence, Ltd.  
1616 Park Avenue South  
Minneapolis, MN 55404

2. The Gibbons P.C. mail system will generate an automated response to the sender upon receipt of an e-mail to these designated addresses. This automated response will confirm receipt of the e-mail, and shall constitute proof of service to the extent the proper documents have been included with the e-mail. The automated response shall not contain any personally identifiable and protected health information.

3. Defendants will not otherwise respond to the above-described e-mails and/or any inquiries or requests for confirmation of receipt. Specific questions or issues should be directed to Defendants' Lead Counsel, to the attention of Kim M. Catullo (kcatullo@gibbonslaw.com) at Gibbons P.C. with copy to Cindy Gugg (cgugg@gibbonslaw.com).

Dated: June 16, 2017

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge