

**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: June 28, 2017
	)	Deputy: Heather Arent-Zachary
	)	Court Reporter: Staci Heichert
	)	Time Commenced: 3:12 pm
Defendant.	)	Time Concluded: 3:26 pm
	)	Time in Court: 14 Minutes

Hearing on: Status Conference

1. Status of Litigation

Counsel reported that there are approximately 267 pending in the MDL. 182 of those cases involve only Bayer or Bayer entities.

Counsel reported that they submitted a joint letter seeking dismissal of all but two of the cases pending in Pennsylvania state court. Counsel anticipate that only one of those two cases will remain, and they intend to ask the judge presiding over the remaining case to postpone as much as possible, so that it will not proceed ahead of the MDL schedule.

2. Update on Plaintiffs with PFS Deficiencies

Counsel reported that they are working to resolve disputes in 10-12 cases where the plaintiffs failed to submit Plaintiff Fact Sheets. If necessary, Defendants will seek an order to show cause for the next status conference.

3. Discovery Update and Pending Disputes

Counsel reported on the status of discovery with both Bayer and the German Bayer entity. The parties also discussed a dispute that had arisen regarding fact discovery, specifically Bayer's request to depose certain prescribing and treating physicians. The parties agreed to establish a briefing schedule, with the dispute to be discussed at the August status conference.

4. Plaintiffs' Request to Amend Protective Order Regarding Privilege Log

The parties agreed to a briefing schedule for Plaintiffs' request to amend the protective order. Plaintiffs will submit their brief on July 14, and Defendants will respond on July 25. The Court will hear the dispute at the August status conference.

5. Scheduling September Status Conference

Counsel requested to wait until the August status conference to schedule the September status conference.

Upcoming Status Conference:

1. Tuesday, August 1, 2017, at 2:00 p.m.

APPEARANCES:

Plaintiffs: Russell Budd, Yvonne Flaherty, Thomas Sims, David Wool, Olga Viner

Defendants: Andrew Solow, Cicely Miltich

On the phone: Dae Lee, Lindsay Stevens, Michael Suffern, Lindsay Cordes, Katie Griffin, Dan Corley, Jamie Goldstein, Andrea Hirsch

s/Heather Arent-Zachary
Courtroom Deputy Clerk