

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

STATUS CONFERENCE

In Re: Fluoroquinolone Products Liability
Litigation,

Plaintiff,

v.

Defendant

COURT MINUTES

BEFORE: John R. Tunheim
Chief U.S. District Judge

Case No: 15-2642 JRT
Date: July 25, 2018
Deputy: Heather Arent-Zachary
Court Reporter: Kristine Mousseau
Time Commenced: 2:54 pm
Time Concluded: 3:57 pm
Time in Court: 1 Hour & 3 Minutes

Hearing on: Status Conference

I. Status of Litigation

a. Federal Filing Update

Approximately 356 Bayer cases remain pending in the MDL. 260 are Bayer only; 97 involve Bayer and Janssen. 4 more transferred in yesterday.

b. Philadelphia State Court Peripheral Neuropathy Litigation, including report on Bryant trial setting

The *Bryant* case is set for jury selection on September 28, 2018, with trial to start on October 1. 3 more cases have been filed in Philadelphia state court. Since they were filed after the *Bryant* case, they have not yet been set for trial.

c. Dismissal of Shepherd case

Stipulation of dismissal was entered today.

II. Scope of Case-specific Expert Reports

The parties indicated that there is a dispute regarding the scope of case-specific expert reports. Plaintiffs have 7 days to file a brief on this issue; Defendants have 10 additional days to respond.

III. Timing and Structure of Daubert Hearing

The Court will hold a 1-day hearing on Defendants' *Daubert* motion. The Court will endeavor to schedule this hearing for September 13, 14, or 17, and will notify the parties shortly.

IV. Motion for Continued Sealing

The parties have submitted a proposed order regarding continued sealing, which the Court will sign.

V. Phase II Bellwether Plan

The Court believes that a second phase of bellwether selection should begin soon. The Court will allow parties to talk for two weeks. At that time, the parties are to send a letter (jointly or separately) indicating points of contention. The Court will resolve any outstanding issues.

VI. Motions to Withdraw

Court will grant the two motions.

VII. Scheduling of Next Status Conference

The next status conference will be held in conjunction with the Daubert hearings.

APPEARANCES:

Plaintiffs: Bill Robins III, Thomas Simms, Yvonne Flaherty, R. Jason Richards,

Defendants: Lori Leskin, Andrew Solow, Michelle Tessier

On the phone: David Wool, Katie Griffin, Kristen Barton, Christopher Nidel,

Dan Corley, Kathy Morton, Kathy Lee, Michael Suffern, Matthew Sachs

s/Heather Arent-Zachary
Courtroom Deputy Clerk