

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

TELEPHONE STATUS CONFERENCE

In Re: Fluoroquinolone Products Liability
Litigation,

Plaintiff,

v.

Defendant

AMENDED COURT MINUTES

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

Case No:	15-2642 JRT
Date:	August 15, 2019
Deputy:	Heather Arent-Zachary
Court Reporter:	Kristine Mousseau
Time Commenced:	10:08 a.m.
Time Concluded:	10:25 a.m.
Time in Court:	17 Minutes

Hearing on: Status Conference

I. Bayer & Merck Defendants Settlement Update

Defendants will fund the settlement by September 16, 2019. Thus far, funding is on target. Once completed, Defendants plan to file one dismissal with prejudice. Defendants also plan to file a Motion for Order to Show Cause on August 19, 2019, regarding eight cases that were filed after the voluntary settlement program was announced. On October 4, 2019, Defendants will file an additional Motion for Order to Show Cause regarding opt-out or otherwise non-participating plaintiffs, which includes 27 cases as of now. A subsequent Motion for Order to Show Cause will be filed in mid-October on two later-filed cases if the plaintiffs are not in compliance with PTO 18 at that time.

A motion to withdraw as counsel has been filed in the Schwoebel case (15-cv-3401). Defendants oppose the motion only to the extent that it seeks to stay the case or otherwise extend the deadlines set forth in PTO 18. The Court will consider the parties' filings and issue an order soon.

II. Janssen Defendants Settlement Update

57 cases remain. Four pro se cases are proving difficult, but the parties are making progress on those and on the remaining cases.

III. Vloch Case

Janssen defendants were dismissed on August 8, 2019. Defense counsel wonders how to address the remaining generic defendants in the case and would like to file a motion for judgment on the pleadings. The Court asks that defense counsel meet and confer with plaintiff's counsel regarding the motion. The motion can be filed with this Court, which will determine whether it or the transferee court should rule on the motion.

IV. Scheduling of Next Status Conference

A phone conference is scheduled for 11:00 a.m. CST on September 10, 2019. At this conference, the parties will address a proposed briefing schedule regarding the common benefit fund. An in-person status conference will be scheduled towards the end of October, with a firm date to be set at the September phone conference.

APPEARANCES:

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

Defendants: Andrew Solow, Tracy Van Steeburgh, John Ipsaro, Nanette Decea

s/Heather Arent-Zachary
Courtroom Deputy Clerk