

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

TELEPHONE 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:	September 10, 2019
Deputy:	Heather Arent-Zachary
Court Reporter:	Kristine Mousseau
Time Commenced:	11:10 a.m.
Time Concluded:	11:26 a.m.
Time in Court:	16 Minutes

Hearing on: Status Conference

I. Bayer & Merck Defendants Settlement Update

Defendants will file stipulations of dismissal for all cases that are participating in the master settlement agreement, which is around 340 cases. For the convenience of the Court, Defendants will file two separate stipulations; one which will dismiss the entire action, and one in which only the Bayer & Merck Defendants are being dismissed.

The Court's Order to Show Cause (Docket No. 857) that was answerable on September 10, 2019 is now MOOT as the parties filed stipulations of dismissal in all eight cases pertaining to the Order. Defendants will submit appropriate proposed orders. There is one outstanding Order to Show Cause that is returnable on Sept. 30. There are approximately 26 plaintiffs that have either opted-out or are not participating in the settlement. Defendants will file a motion for an Order to Show Cause on October 4 for anyone who has not complied with the document control order.

II. Motion for Establishment of Common Benefit Fund Update

The plaintiffs believe they can reach consensus regarding a fair and reasonable allocation of the common benefit fund. The plaintiffs' motion and brief regarding allocation of the common benefit fund will be filed by September 30, 2019. Any responses will be due on October 21, 2019. Any replies will be due on Friday, October 25, 2019.

The Court will hold a hearing on Thursday, October 31, 2019 at 10:00 a.m. CST regarding the motion.

III. Scheduling of Next Status Conference

The next status conference will be held the same day as the hearing on plaintiff's motion regarding the common benefit fund: **October 31, 2019 at 10:00 a.m.** Defendants' planned October 4, 2019 motion to show cause will be returnable on October 31, 2019 as well.

APPEARANCES:

Plaintiffs: Bill Robins III, Thomas Sims, Yvonne Flaherty, R. Jason Richards, Kathy Lee, Erin Brown for Daniel C. Burke, Barbara Nevin, Kathy Morton

Defendants: Andrew Solow, Nanette Decea, Michael Suffern

s/Heather Arent-Zachary
Courtroom Deputy Clerk