

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

**STATUS CONFERENCE & SHOW CAUSE HEARING**

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: November 20, 2019  
Deputy: Heather Arent-Zachary  
Court Reporter: Kristine Mousseau  
Time Commenced: 10:34 am  
Time Concluded: 11:18 am  
Time in Court: 44 Minutes

Hearing on: Status Conference

**I. Settlement Update**

Counsel for Defendant Janssen stated there are an estimated fifty (50) cases remaining. Sixteen (16) of those cases were stipulated for dismissal on the morning of November 20, 2019. Leaving thirty-four (34) open that are all moving towards resolution. Counsel for Bayer noted that the master settlement agreement has been funded. Counsel noted that three or four cases remain.

**II. Hearing on Orders to Show Cause**

On October 7, 2019, Defendants Bayer and Merck filed a Motion for an Order to Show Cause seeking dismissal of eighteen cases for failure to comply with Pretrial Order 18. (Docket No. 888.) Judge Tunheim granted dismissal with prejudice in all but three cases listed in Docket No. 888. Those cases are as follows:

- *Reed v. Bayer Corporation, et al.*, No. 16-cv-02059
- *Chauvin v. Bayer Corporation, et al.*, No. 18-cv-00579
- *Blansette v. Bayer Corporation, et al.*, No. 17-cv-04127

On October 22, 2019, Defendants Bayer and Merck filed a Motion for an Order to Show Cause Seeking dismissal of two cases for failure to comply with Pretrial Order 18. (Docket No. 915.) Judge Tunheim granted dismissal with prejudice of the two cases listed

in Docket No. 915. Judge Tunheim stated a written order listing the cases dismissed will be filed on the record.

The parties then set the following deadlines for the three remaining plaintiffs to comply with Pretrial Order 18.

- *Reed v. Bayer Corporation, et al.*, No. 16-cv-02059
  - Deadline to Comply with Pretrial Order 18: January 20, 2020.
- *Chauvin v. Bayer Corporation, et al.*, No. 18-cv-00579
  - Deadline to Comply with Pretrial Order 18: December 30, 2019.
- *Blansette v. Bayer Corporation, et al.*, No. 17-cv-04127
  - Deadline was not altered and remains November 26, 2019.

### **III. Scheduling of Next Status Conference**

The next status conference will be held **February 19, 2020 at 2:00 p.m.** which will coincide with Defendants' planned motion for an order to show cause.

#### **APPEARANCES:**

Plaintiffs: Thomas Simms, Yvonne Flaherty, R. Jason Richards

Defendants: Andrew Solow, Jan McLean Bernier

On the phone: Katie Griffin, Evan Plauche, Kathy Lee, Michael Suffern, Nanette Decea, Russell Budd, John Reed, Brad Blansette

s/Heather Arent-Zachary  
Courtroom Deputy Clerk