

**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: February 19, 2020  
Deputy: Heather Arent-Zachary  
Court Reporter: Kristine Mousseau  
Time Commenced: 2:18 pm  
Time Concluded: 3:00 pm  
Time in Court: 42 Minutes

Hearing on: Status Conference

**I. Settlement Update**

Counsel for Defendant Janssen stated that there were twelve (12) stipulations that have been settled and will be filed this week, leaving twenty (20) cases remaining, nine (9) of which are pro se. Counsel for Defendant Janssen requested an Order from the Court for the remaining pro se defendants to update their plaintiff fact sheets as many have alleged new injuries. The Court noted it will grant the Order.

Counsel for Defendants Bayer and Merck noted that they have three (3) PTO 18 show cause casing pending, one (1) case that was recently filed and transferred into the MDL, and may have one case that was improperly marked as inactive that they were working to resolve.

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

The Court next heard arguments from the parties related to the Court's issuance of an Order to Show Cause. The cases heard were 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

The Court took the matters under advisement and noted written orders would be issued.

### **III. Motion to Vacate Dismissal with Prejudice**

Litigating Plaintiff Davide Butkiewicz filed a Motion to Vacate the Court's December 17, 2019 Order dismissing Butkiewicz's case with prejudice for failure to comply with Pretrial Order ("PTO") 18. (Dec. 20, 2019, Docket No. 18.) The Court heard arguments from the parties and took the matters under advisement and noted a written order would be issued.

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

The next status conference will be held April 14, 2020 at 2:00 p.m.

#### **APPEARANCES:**

Plaintiffs: Yvonne Flaherty, Patrick Bradley

Defendants: Jan McLean Bernier

On the phone: Andrew Solow, Evan Plauche, Kathy Lee, Michael Suffern, Russell Budd,  
Bill Robbins, R. Jason Richards, Naomi Pontious, Robert Andrews, Brad  
Blansette

s/Heather Arent-Zachary  
Courtroom Deputy Clerk