

**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: November 22, 2022

Deputy: Heather Arent-Zachary

Court Reporter: Kristine Mousseau

Time Commenced: 2:10 PM

Time Concluded: 2:29 PM

Time in Court: 19 minutes

Hearing on: Status Conference

I. Janssen Defendants Update

Counsel for Janssen stated that there were five (5) pro se cases and two (2) represented plaintiff cases remaining against Janssen Defendants. Counsel represented that in one (1) case, Mirto, they are awaiting a PTO 18 affidavit to work out statute of limitations issues and awaiting a settlement demand.

In two (2) cases, Buch and Steele, Counsel represented they will file Motions for an Order to Show Cause. Two (2) cases, Cerney and Tierno, are in negotiations and that in one (1) case, Aultman, counsel attempted to resolve but have not been successful; plaintiff Aultman has rejected defendant's offer and is looking into whether or not to make a counteroffer but has not yet decided what amount based on medical bills. Court guided plaintiff to contact consulting lawyer within 2 weeks.

II. Bayer Defendants Update

Counsel for Bayer represented they had four (4) remaining cases. Counsel stated they have successfully reached a settlement in the Adams case, which involves a pro se plaintiff, and are working on dismissal. Counsel stated that in the Jackson case,

parties are proceeding with PTO 18 discovery and in the Mirto case, they are awaiting affidavit regarding statute of limitations issues and settlement demand. Counsel represented that there is an outstanding PTO 18 in the McKinley case after plaintiff has complied with PTO 18 the parties will propose a schedule if there is no settlement.

III. MSP Recovery Claims Order to Show Cause/Response

Plaintiffs' Counsel represented that there is a schedule for both defendants' joint Motion to Dismiss, the motion is due December 30, 2022, response from MSP Recovery Plaintiff is due January 30, 2023, and defendants' reply is due February 28, 2023 and will have a hearing thereafter.

I. Scheduling of Next Conference

The next status conference will be scheduled for January 6 at 3 PM.

APPEARANCES BY VIDEOCONFERENCE

Plaintiffs: Yvonne Flaherty

Plaintiffs Jackson & Mirto: David Dickey

Plaintiff McKinley: Charles Kelly

Pro Se Plaintiffs: Linda Tierno, Larry and Cindy Altman

Defendants: Tracy Van Steenburgh, Andrew Solow