

**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: January 17, 2023

Deputy: Heather Arent

Court Reporter: Kristine Mousseau

Time Commenced: 2:14 PM

Time Concluded: 2:28 PM

Time in Court: 14 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, awaiting expert report to finalize PTO schedule. Mirto's counsel represented that they are scheduled to speak with expert and expecting report soon. In the McKinley case, parties are finalizing a joint proposed PTO-18 scheduling order. McKinley's counsel represented prepared to make a demand and will make one next week and will provide additional records.

In the Aultman case, counsel represented they are awaiting further action by plaintiff. Plaintiff represented that they have not been able to secure counsel; Court set deadline of 30 days from date of status conference to secure representation or secure settlement. In the Buch case, plaintiff requested, and the Court granted, a continuance for response to Order to Show Cause. In the Cerney case, parties are discussing possible resolution.

In the Steele case, counsel represented that there has been no response to Order to Show Cause and so requested Court issue an order of dismissal. Court agreed to issue order dismissing case.

Lastly, in the Tierno case, counsel represented they are working with Tierno to get additional medical records and that progress is being made.

II. Bayer Defendants Update

Counsel for Bayer represented they had three (3) remaining cases. Counsel stated that in the Jackson case, parties are proceeding with PTO-18 discovery and awaiting to get depositions scheduled and in the Mirto case, they are awaiting expert report to finalize PTO expert schedule. Counsel represented that they are finalizing PTO 18 scheduling order in the McKinley case.

III. MSP Recovery Claims Order to Show Cause/Response

Defendant's Counsel represented that the joint defendants' Motion to Dismiss was filed January 6, response from MSP Recovery Plaintiff is due February 6, 2023, and defendants' reply is due March 7, 2023 and will have a hearing thereafter.

I. Scheduling of Next Conference

The next status conference will be scheduled for February 22, 2023 at 11 AM.

APPEARANCES BY VIDEOCONFERENCE

Plaintiffs: Yvonne Flaherty

Plaintiffs Jackson & Mirto: David Dickey

Plaintiff McKinley: Nancy Hersh

Pro Se Plaintiffs: Linda Tierno, Larry and Cindy Aultman

Defendants: Tracy Van Steenburgh, Andrew Solow