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April 12, 2016

By ECF and by Email to Chambers

MEMO ENDORSED

Honorable Cathy Seibel
United States District Judge
Southern District of New York
Hon. Charles L. Brieant Jr. Federal
Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: In re Mirena IUD Products Liability Litigation
No. 13-MD-2434 (CS) (LMS)
13-MC-2434 (CS) (LMS)

Dear Judge Seibel:

As requested by the Court at last Tuesday's conference, the Plaintiffs' Steering Committee respectfully submits this letter to advise the Court of its position concerning a stay of proceedings in the Second Disposition Pool ("SDP") cases.

As the Court is aware, at last Tuesday's conference, it approved Bayer's filing (on May 4, 2016) of an omnibus summary judgment motion on the issue of whether the law of each state requires that a Mirena plaintiff adduce expert witness testimony in order to establish general causation. The PSC proposes that the Court hold all proceedings respecting the SDP cases in abeyance pending resolution of Bayer's forthcoming motion. Given the potentially-dispositive effect of the motion, a deferral of proceedings in the SDP cases is the most prudent course of action and would best serve the interests of efficiency and economy. Absent a stay of proceedings in those cases, in the event that the Court were to grant Bayer's motion, significant time and expense will have been wasted in securing expert reports relating to specific causation in the SDP cases and in taking depositions of the parties' respective experts.

Conversely, if the Court denies Bayer's motion, there will have been no undue delay in the ultimate resolution of this multidistrict litigation or undue prejudice to either side from holding proceedings in the SDP cases in abeyance in the interim. The briefing of Bayer's motion will be completed by June 17, 2016, just sixty-six days hence. Consequently, if the Court denies

New York

Newark

Philadelphia

Honorable Cathy Seibel
April 12, 2016
Page | 2

the motion, little time will have been lost on account of the motion and proceedings in the SDP cases can resume and quickly ramp up at that point.

Respectfully,



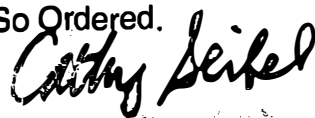
Diogenes P. Kekatos
Plaintiffs' Liaison Counsel

cc: **By ECF and by Email**

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Members of the PSC

Application GRANTED. For the reasons stated above, and in light of the fact that Defendants do not oppose, (see 13-MD-2434, Doc. 3129), all proceedings for cases in the Second Disposition Pool ("SDP") are hereby stayed pending the resolution of Defendants' forthcoming omnibus summary judgment motion.

So Ordered.



Cathy Seibel, U.S.D.J.

Dated: 4/21/16

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