

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: GADOLINIUM-BASED
CONTRAST AGENTS PRODUCTS
LIABILITY LITIGATION

) Case No. 1:08-gd-50000
)
) MDL No. 1909
)
) Judge Dan A. Polster
)
)

GE HEALTHCARE’S STATEMENT OF REMAINING CASES

I. Introduction

The GE Healthcare Defendants (“GEHC”) submit this response to the Court’s March 1, 2013 request for a report regarding its remaining unresolved cases with respect to remand. Other than nine (9) active cases¹, GEHC resolved all of its remaining cases. As detailed below, GEHC settled an additional five (5) cases since its March 8, 2013 submission, has been dismissed from 19 cases, and was not named in the 13 other cases identified on the Court’s list of active cases.² GEHC submitted an individual report on the status of each of the nine unsettled cases under their respective case captions.

II. Settled Cases (Not Yet Dismissed)

GEHC resolved the following five (5) cases shortly after its March 8, 2012 submission to the Court of settled cases. These cases are not yet ready for dismissal, but since they are settled in principal, they are not appropriate for remand.

- (1) Britt, et al. v. GEHC, et al., No. 1:2008-gd-50171 (Parker Waichman).

¹ The nine active cases are: (1) Duckett v. GEHC, et al., No. 1:2008-gd-50336; (2) Gary v. GEHC, et al., No. 1:2012-gd-50007; (3) Hammersley, et al. v. Bayer, et al., No. 1:2009-gd-50065; (4) Larson v. Bayer, et al., No. 1:2012-gd-50002; (5) Sullivan v. GEHC, et al., No. 1:2008-gd-50149; (6) Tussey v. GEHC, et al., No. 1:2009-gd-50199; (7) Uvalle v. GEHC, et al., No. 1:2012-gd-50009; (8) Wahl v. GEHC, et al., No. 1:2011-gd-50025; and (9) Willey v. GEHC, et al., No. 1:2009-gd-50146.

² As the Court acknowledged, the list of active cases was prepared by the Plaintiffs’ Steering Committee without input from GEHC.

- (2) Marcinczyk, et al. v GEHC et al., No. 1:2008-gd-50070 (Parker Waichman).
- (3) Pettigrew v. GEHC, et al., No. 1:2008-gd-50359 (Kline & Specter).
- (4) Smiley, et al. v. GEHC, et al., No. 1:2008-gd-50286 (Parker Waichman).
- (5) Smith, et al. v. GEHC, et al., No. 1:2008-gd-50266 (Parker Waichman).
- (6) In addition, Cropper, et al. v. GEHC, et al., No. 1:2010-gd-50080 (Lopez McHugh) was settled long ago but has not been dismissed yet due to probate issues involving a minor.

III. Dismissed Cases

GEHC previously was dismissed from the following 19 cases:

- (1) Bowman v. Bayer, et al., No. 1:2009-gd-50032
- (2) Brown v. Bayer, et al., No. 1:2009-gd-50033
- (3) Capov. Bayer, et al., No. 1:2009-gd-50034
- (4) Cooper v. Bayer, et al., No. 1:2009-gd-50036
- (5) DeLorenzo, et al. v. Bayer, et al., No. 1:2011-gd-50011
- (6) Doye v. Bayer, et al., No. 1:2011-gd-50021
- (7) Eazer, et al. v. Bayer, et al., No. 1:2009-gd-50197
- (8) Ford, et al. v. GEHC, et al., No. 1:2008-gd-50341
- (9) Freeman, et al. v. Bayer, et al., No. 1:2009-gd-50038
- (10) Gonzalez v. Bayer, et al., No. 1:2010-gd-50035
- (11) Hamlett, et al. v. GEHC, et al., No. 1:2010-gd-50013
- (12) Johnson v. Bayer, et al., No. 1:2009-gd-50040
- (13) Libby v. Bayer, et al., No. 1:2010-gd-50049
- (14) Lingo, et al. v. GEHC, et al., No. 1:2008-gd-50312
- (15) Shaw v. GEHC, et al., No. 1:2010-gd-50040

- (16) Shelton, et al. v. GEHC, et al., No. 1:2008-gd-50208
- (17) Simmons, et al. v. GEHC, et al., 1:2010-gd-50012
- (18) Simmons v. Bayer, et al., No. No. 1:2009-gd-50044
- (19) Wolridge v. Bayer, et al., No. 1:2009-gd-50046

IV. Non-GEHC Cases

GEHC is not a defendant in the following thirteen (13) cases:

- (1) Besand, et al. v. Bayer, et al., No. 1:2012-gd-50001
- (2) Carna, et al. v. GEHC, et al., No. 1:2008-gd-50228
- (3) Cormier v. Bayer, et al., No. 1:2011-gd-50023
- (4) Enyeart v. Bayer, et al., No. 1:2012-gd-50010
- (5) Haney v. Bayer, et al., No. 1:2012-gd-50011
- (6) Kingsley, et al. v. Bayer, et al., No. 1:2011-gd-50029
- (7) Podesta, et al. v. Bayer, et al., No. 1:2010-gd-50015
- (8) Rae, et al. v. Bayer, et al., No. 1:2010-gd-50093
- (9) Regal, et al. v. Bayer, et al., No. 1:2011-gd-50028
- (10) Reynolds v. Bayer, et al., No. 1:2010-gd-50095
- (11) Rosbottom v. Bayer, et al., No. 1:2012-gd-50008
- (12) Salvucci, et al. v. GEHC, et al., No. 1:2009-gd-50195
- (13) Simmons v. Mallinckrodt, et al., No. 1:2011-gd-50035

DATED: April 5, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **GE HEALTHCARE'S STATEMENT OF REMAINING CASES** was filed electronically on this 5th day of April, 2013. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Christopher M. Strongosky _____
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