

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: FRESENIUS
GRANUFLO/NATURALYTE DIALYSATE
PRODUCTS LIABILITY LITIGATION

Civil Action No.: 1:13-md-2428

THIS DOCUMENT RELATES TO:

All Actions

**PLAINTIFF EXECUTIVE COMMITTEE'S RESERVATION OF RIGHTS
AND STATEMENT CONCERNING FMCNA'S MOTION FOR ENTRY
OF LONE PINE CASE MANAGEMENT ORDER**

The Plaintiffs Executive Committee ("PEC") does not oppose FMCNA's motion for entry of a *Lone Pine*-style case management order in order to effectuate the proposed settlement program where, as expressly stated in its pleading, the defendant's proposed order is applicable only to those plaintiffs who do not opt in to the global settlement program.

The PEC reserves its right, as may be necessary, to address any future-filed *Lone Pine* motion in the event the pending global settlement in principle is not implemented.

The PEC has advised all plaintiffs' counsel that the PEC will not be filing a global opposition to the defendant's motion. The PEC has advised, further, that in the event any individual plaintiff's attorney may seek to file an opposition on behalf of their individual client(s), it is their responsibility to do so.

Respectfully submitted,

/s/ Anthony Tarricone

Anthony Tarricone, Esq.
Plaintiffs' Liaison Counsel
Kreindler & Kreindler LLP
855 Boylston Street
Boston, MA 02116
617.424.9100
atarricone@kreindler.com

Dated: November 22, 2016

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been duly served upon the following individuals via electronic mail on the 22nd day of November 2016.

William Kettlewell
Collora LLP
100 High Street
Boston, MA 02110-2321
wkettlewell@collorallp.com
(Lead Counsel for Fresenius Medical Care North America)

and

Carol Starkey
Conn Kavanaugh Rosethal Peisch & Ford
Ten Post Office Square, Ste. 400
Boston, MA 02109
(Local Counsel for the European Fresenius Defendants)

/s/ Anthony Tarricone

Anthony Tarricone, Esq.