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June 19, 2003

**VIA CERTIFIED MAIL/**  
**RETURN RECEIPT REQUESTED**

Honorable Kathleen McDonald O'Malley  
Carl B. Stokes United States Court House  
801 West Superior Avenue  
Cleveland, Ohio 44113-1840

Dear Judge O'Malley:

The Court had requested a status report on the following cases:

Joyce Castanedez  
Ken Fazzio  
Mildred Williams  
Constance Backus  
Gilbert Burns  
Ella White  
Ramona Bateman  
Joey Evans  
Michael Reed  
James Colley  
Cherril Ogden  
Jessie Elam  
Linda Charanza

Lawsuits were filed on behalf of all of the above referenced cases before the Class Action Settlement was under consideration. It was subsequently determined that with the exception of Linda Charanza and Jessie Elam, these clients' lot numbers were not included in the Class Action Settlement. Linda Charanza and Jessie Elam received products with lot numbers included in the Class Action. Their claims have been submitted in the Class Action. They have received payments under the Class Action, and their original State Court claims have been non-suited. Copies of the motions for non-suit are attached.

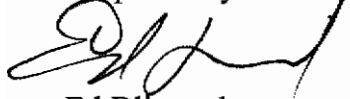
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We investigated the "odd lot" cases listed above to determine if there was a viable claim outside of the Class Action. As part of our investigation, we also met with Eric Kennedy, counsel with Shook, Hardy & Bacon, and Dr. Victor Goldberg in Houston on February 12, 2003.

Based on our investigation, including all the information we received in the office conference of February 12, 2003, we determined that we could not pursue a claim against Sulzer outside of the Class Action. We informed the clients listed above with lot numbers outside of the Class Action that we could not pursue a claim outside the Class Action in the letter of April 7, 2003, a sample of which is attached. Motions to Withdraw have been filed in each case (please see attached).

In summary, of the cases listed above, Ella White, Jessie Elam, and Linda Charanza have been Non-Suited. On the remaining cases, we have filed Motions to Withdraw, which will be heard during the months of June and July. On all of the cases where we have filed Motions to Withdraw, we have waived all claims for attorneys' fees and expenses.

Respectfully submitted,



Ed Blizzard

EB/bgh  
Attachments

c: Mr. David Brooks  
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