1	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA
2	NEW ORLEANS, LOUISIANA
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5	IN RE: PROPULSID PRODUCTS * Docket 00-MDL-1355-L LIABILITY LITIGATION *
6	* January 10, 2008, 9:00 a.m. * * * * * * * * * * * * * *
7	TELEPHONIC CTATUS CONFEDENCE DEFORE
8	TELEPHONIC STATUS CONFERENCE BEFORE THE HONORABLE ELDON E. FALLON
9	UNITED STATES DISTRICT JUDGE
11	APPEARANCES:
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Judge.

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PROCEEDINGS

(January 10, 2008)

THE COURT: Good morning, ladies and gentlemen. This is Judge Fallon. Who do I have on the line, starting with the plaintiffs?

MR. ARSENAULT: Richard Arsenault. Good morning,

THE COURT: Good morning.

MR. LEVIN: Arnold Levin and Fred Longer, Your Honor.

MR. CAPRETZ: Jim Capretz for the plaintiffs.

THE COURT: Any one else from the plaintiffs? How about from the defendants?

MR. IRWIN: Jim Irwin, Your Honor.

MR. PREUSS: Chuck Preuss, Your Honor.

MS. GARSAUD: And Monique Garsaud, Your Honor.

THE COURT: This is our monthly status report. I have before me the joint status report number 61 in this matter. The first item on the agenda is state liaison counsel, MDL resolution program II. Anything on that?

MR. ARSENAULT: Judge, we've been talking to Pat Juneau on a weekly basis and the issues we're wrestling with now are the interplay between the administration of I and II and the timing on that; and we understand Mr. Juneau is going to be giving us some guidance and some reports with regard to just exactly how that's going to be handled, and we

expect to hear from him shortly regarding that.

THE COURT: Are you-all going to use the same doctor panels, or are you going to have new panels.

MR. ARSENAULT: Presumably, Judge

THE COURT: All right. How about the trust account, any report on that?

MR. IRWIN: Status quo, Your Honor.

THE COURT: All right. The next item is the MDL mediation resolution program. I have a report from the master saying that there are over 15,000 claimants who enrolled but did not submit claim forms and they're going to be moving for dismissal of those cases.

MR. DAVIS: Good morning. This is Leonard Davis.

THE COURT: Yes. Hello, Lenny.

MS. BARRIOS: Good morning. Dawn Barrios.

THE COURT: All right. Dawn, we've talked about the state liaison counsel resolution program II. Richard brought us all up to date on it. Lenny, there was nothing on the trust account, unless you have something there.

MR. DAVIS: No, just that an additional deposit was made.

THE COURT: All right. What about the mediation resolution program? I mentioned just as you came on the line that there were 15,000 claimants who enrolled, but did not submit claim forms and I anticipate a motion to dismiss those

claims. Anything from you --

MR. DAVIS: I know that the folks at J & J have spoken about that and they've told us that that is going to be coming. So that's not a shock to us.

We're happy that since the new doctors are in and the program is back up and running a little faster than before, that more and more claims are getting through and Special Master Juneau has been advising us on their weekly calls as to the progress and we understand that there are a number of claims that are in line, they're in the queue to be reviewed.

There have also been some additional claims that have gone through the process, and some additional claimants have gone through so that they get entitlement out of the settlement fund, which we're, on our side, happy to hear about. We hope that there will be more that get through as this moves along. I know we'll be updated on the weekly calls, which I think are very beneficial.

THE COURT: Richard, you and Dawn got to keep an eye on that to determine whether the panel's working the way that you feel they ought to and if so, adopt them; if not, start at the beginning to kind of at least think about it so that we don't have any difficulty as it moves on.

MR. ARSENAULT: Yes, Your Honor.

THE COURT: Okay. Anything from you, Jim, on any of

1 the mediation resolution programs? 2 MR. IRWIN: Your Honor, I would just echo what Lenny 3 said about how the weekly updates have been very helpful. 4 does feel like the system's back running again. Okay. Good. There was a motion for 5 THE COURT: 6 distribution of attorney's fees, but that looks like that's at 7 least not necessary to talk about at this time; is that right? 8 MR. DAVIS: I think we can pass on that at this 9 point. 10 **THE COURT:** Supplemental agreement re: Propulsid 11 I and II, anything on that? 12 MR. DAVIS: I don't think there's anything more. 13 fact, we probably can remove that from the joint report, if 14 it's okay with Your Honor. 15 THE COURT: Okay. Any new business? Anything we need to talk about other than what we've just discussed? 16 17 MR. DAVIS: Happy New Year. 18 MR. IRWIN: Happy New Year, Your Honor. 19 THE COURT: Okay. Anything from anybody? All right, 20 folks. Thank you very much. Our next meeting will be 21 February 28th, a telephone conference status report, 9:00 a.m. 22 MR. DAVIS: That seems fine. 23 MR. IRWIN: That's fine. Thank you very much, Your 24 Honor. 25 MR. DAVIS: Thank you, Your Honor.

THE COURT: Thank you. MS. BARRIOS: Thank you, Your Honor,.. (WHEREUPON, the Court was adjourned.) **** **CERTIFICATE** I, Jodi Simcox, RMR, Official Court Reporter for the United States District Court, Eastern District of Louisiana, do hereby certify that the foregoing is a true and correct transcript, to the best of my ability and understanding, from the record of the proceedings in the above-entitled and numbered matter. Jodi Simcox, RMR Official Court Reporter