

eligible by the Panel, and the Special Master has made those awards. (All numbers in this paragraph are current through February 22, 2011).

As to Propulsid II, three hundred eighty-one (381) claims have been submitted to the Medical Panel for review, of which defendants have treated 326 on an expedited basis (these numbers are current through February 22, 2011). Two (2) claims have been found eligible. The SLC will submit a detailed report to the Court prior to the Status Conference.

The parties will be prepared to discuss these issues further at the February 24, 2011 Monthly Status Conference.

II. Distribution of MDL Settlement Funds

On November 30, 2009, the Court issued an Order granting Joint Motion for an Order authorizing Distribution of MDL I Settlement Funds which authorized the transfer of 8.75 million (Canadian) from the Settlement Fund of the MDL I Propulsid Resolution Program Fund to the Propulsid Resolution Program and further authorized a distribution in the same amount for appropriate contributions to charitable organizations. The Court issued an Order on January 4, 2010 appointing a committee of plaintiff's counsel and defense counsel to assist in recommending to the Court where the remainder of the funds should be allocated [Rec. Doc. 4023].

III. Attorney's Fees Issues

On December 1, 2010, the Court issued an Order [Rec. Doc. 4153] approving the distribution of funds to pay expenses. In addition, the PSC will be filing a motion and the Court will address the attorney fees issue at a later date.

NEW ITEMS:

IV. Motion to Dismiss Non-Enrolled Plaintiffs

Programs I and II are effectively finished. On January 19, 2011, Defendants filed a Motion to Dismiss Non-Enrolled Plaintiffs for failure to comply with the Term Sheet. Since such time, Defendants have learned there may be errors associated with the names listed on the exhibits attached to the Motion. Defendants are re-reviewing the exhibits and will submit any revisions to the Court shortly.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Joint Report No. 89 of Plaintiffs' and Defendants' Liaison Counsel has been served upon all parties by electronically uploading the same to LexisNexis File & Serve, and that the foregoing was electronically filed with the Clerk of Court of the United States District Court for the Eastern District of Louisiana by using the CM/ECF system which will send a Notice of Electronic Filing on this 22nd day of February 2011.

/s/Monique M. Garsaud

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: PROPULSID	:	MDL NO. 1335
PRODUCTS LIABILITY LITIGATION	:	
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	:	JUDGE FALLON
THIS DOCUMENT RELATES TO	:	MAG. WELLS ROBY
ALL CASES	:	
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Monthly Status Conference
February 24, 2011
1:30 p.m.

AGENDA

Current Matters:

1. MDL Resolution Programs I and II
2. Distribution of MDL Settlement Funds
3. Attorney's Fees Issues
4. Motion to Dismiss Non-Enrolled Plaintiffs