

claimant's counsel, the Special Master has completed its work in processing, finalizing, and clearing all claims.¹

II. Distribution of MDL Settlement Funds

Pursuant to the Court's Order dated October 3, 2012 [Rec. Doc. 4590], the Special Master has returned to Johnson & Johnson and Janssen Pharmaceuticals, Inc. the remaining balances in the Settlement and Administrative Funds for MDL II. Similarly, the Defendants have requested in its Motion to Terminate MDL Resolution Program I [Rec. Doc. 4645], a return to the Defendants of the remaining balances after retaining \$1,000,000 in the Settlement Fund and \$500,000 in the Administrative Fund I to cover any unpaid or outstanding awards and/or administrative payments.

III. Motions to Dismiss

Since the last status conference, Defendants continued to file Motions to Dismiss and Stipulations of Dismissals. Thousands of plaintiffs have been dismissed and/or terminated from the Court's docket over the last several months. These motions to dismiss were based upon: claims which have been processed and paid; claims which were ineligible for payment; plaintiffs who failed to prosecute their claims; claims which did not qualify for the Resolution Programs; and/or plaintiffs who did not enroll in the Resolution Programs. Assuming all pending Motions to Dismiss set for submission on November 29 and December 12, 2012 are granted by the Court, only one (1) plaintiff will remain on the Court's docket. This particular plaintiff did not enroll in

¹ This particular claimant is enrolled in the Resolution Program but is not a plaintiff or otherwise on the Court's docket in this litigation.

either MDL Resolution Program I or II. Defendants believe that this remaining plaintiff does not have a viable claim and have indicated that they will be filing an appropriate dispositive motion.

The parties will be prepared to discuss these issues further at the December 6, 2012 Status Conference.

Respectfully submitted,

s/ Brian P. Quirk

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Joint Report No. 99 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 4th day of December, 2012.

/s/Brian P. Quirk

