

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE: BIOMET M2a MAGNUM HIP)
IMPLANT PRODUCTS LIABILITY)
LITIGATION (MDL 2391)) CAUSE NO. 3:12-MD-2391
)
)
)

This Document Relates to All Cases)

MEMORANDUM OF STATUS CONFERENCE

A status conference was held on October 20, 2014. Plaintiffs were represented by Thomas Anapol and Robert Dassow. Defendants were represented by John Winter, John LaDue, Erin Linder-Hanig, and Blaine Dart. The parties advised the court that:

- (1) Mediation of the cases in Group 1 should be completed in the next few weeks;
- (2) Mediation of the cases in Group 2 should be completed in early 2015;
- (3) The parties anticipate that the minimum 67% participation threshold required under the terms of the settlement agreement will be met with respect to both groups; and
- (4) Cases that were filed by April 15, 2014, but were not included in Group 2, will be addressed after mediation of the Group 2 cases has been completed.

Pursuant to the court's prior orders, appointments to the plaintiffs' organizational structure (lead and liaison counsel, Executive Committee, and Steering Committee) are for a term of one year, and are currently set to expire on December 31, 2014. The court will accept applications for appointment or reappointment to those positions from now until **November 18, 2014**. Applications may be filed jointly or individually and should include a brief summary of the applicant's legal experience, areas of practice, familiarity with multi-district litigation generally and this case specifically, and any work he or she may have personally performed in this MDL. Only attorneys who are counsel of record in one or more of the member cases will be considered. The court will entertain motions to withdraw from such a position during the term. Any objections to the appointment or reappointment of an applicant should be made in writing and filed by **November 28, 2014**.

Post settlement proceedings for all cases in which the plaintiffs either opt out of the settlement or filed their complaint after the April 15, 2014 deadline will be addressed at the next telephonic status conference, which was scheduled for **December 23, 2014 at 1:00 p.m. (E.S.T.)**. The parties were directed to file a joint status report by **December 8, 2014**.

SO ORDERED.

ENTERED: October 20, 2014

 /s/ Robert L. Miller, Jr.
Judge, United States District Court

Northern District of Indiana