

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

IN RE: BIOMET M2a MAGNUM HIP )  
IMPLANT PRODUCTS LIABILITY ) CAUSE NO. 3:12-MD-2391  
LITIGATION (MDL 2391) )  
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This Document Relates to All Cases )  
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ORDER

It has been called to my attention that in light of the implementation of the Master Settlement Agreement, many of the attorneys now on the Plaintiffs' Steering Committee soon will have no remaining constituent cases in this MDL docket. I agree with lead counsel for both sides that it's preferable that attorneys without cases not be on the Steering Committee. Finally, it appears to me that several Steering Committee members will still have cases in this docket as we move forward.

Accordingly, I invite those Plaintiffs' Steering Committee members who will be without cases to request termination of their PSC appointment; so that we can maintain an adequate PSC as we move forward, I ask that the requests be filed by May 15, 2015.

I have received a letter from attorney Gregg Borri of the Borri Law Offices, who represents plaintiff Kelly Chadwick in constituent case 3:12-CV-614, questioning the approach Biomet has taken in carrying out the Master Settlement Agreement. I also received a responsive letter from Plaintiffs' Co-Lead Counsel

Thomas R. Anapol, offering the perspective of the leadership of the Steering Committee. I am directing that both letters (as well as any responsive letter I might receive from Biomet) be entered on the master docket. I will place the issues Mr. Borri raises on the agenda for the May 21 status conference, and invite Mr. Borri to attend that conference in person. The issues Mr. Borri raises are not of the sort that should be handled with one attorney appearing telephonically.

SO ORDERED.

ENTERED: April 28, 2015

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