

Zuckerman, Glenn

From: Zuckerman, Glenn
Sent: Wednesday, February 13, 2002 12:40 PM
To: 'dlandever@weismanlaw.com'
Cc: Pennock, Paul
Subject: Pre-Recalls

David - here are a few more pre-recall cases we were talking about:

- 1) (L)11/17/1999 Rim Flare LOT:1379316
(R)1/12/2000 Rim Flare LOT: 1384797
Right Revision Surgery: 4/25/2001 (DePuy)

- 2) (L) 12/11/1997 Hemispherical LOT:1298014
Revision Surgeries: **8/31/99** (Surgical debridement; Tissue & bone biopsy. Cultures of fluid.)
10/26/99 (Surgical debridement; left hip opened drained & cultured. Cables fr 12/97
removed & cultured. Bone, fluid & tissue cultured),
surgery cut, **10/16/2000** (Extensive debridement; Removal lft hip except shell; acetabular liner &
dorsal screw as screwhead was stripped out; Sulzer rep in preop day of
surgery),
2/8/2001 (Surgery to reinstall parts taken out 10/2000)

Please look into these and let me know if they are included on Sulzer's recall list.

I know you told me that Sulzer would never release their list but could they release a list of lot numbers that are on their revision list? We would then be able to compare the lot numbers of the recalled replacements who we (large inventory State Court firms) represent to determine if Sulzer's list is accurate or if it is flawed. If we represent hundreds of clients who have had legitimate replacements of recalled products but who are not on Sulzer's list then the estimate of 4000 revisions is meaningless and this deal will tank or the Base Fund will run out of money. If Sulzer's list is accurate (or if it includes a wider definition of revision) then we can be a little more assured that the 4000 estimate could be accurate.

I think this list should be demanded before 2/22/02

Let me know.

Glenn

Zuckerman, Glenn

From: Zuckerman, Glenn
Sent: Wednesday, February 20, 2002 4:24 PM
To: 'dlandever@weismanlaw.com'
Subject: RE: NON-REMOVAL REVISIONS

I know all about it and Tom will be on it as well.

Can you email me your latest EF plan.

Any developments with the Sulzer revision Lot # list?

Any news on those pre-recall lot #'s I gave you.

Hope the sheets helped.

Give me a call if you can.

GZ

-----Original Message-----

From: David Landever [mailto:dlandever@weismanlaw.com]
Sent: Wednesday, February 20, 2002 4:25 PM
To: Zuckerman, Glenn
Subject: RE: NON-REMOVAL REVISIONS

Glen: I apologize that I have not been able to get back to you. I have been in Settlement "drafting" meetings all day. In any event, Richard Heimann asked that I let you know about a 5:00 (EST) conference call. Dial 800-646-0449. The code then will be 333520-Graham Hill. You may already be so aware. Let Tom Schultz know as well. Please.

Thanks, Dave.

This e-mail communication contains CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and which is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by e-mail or by telephone at (216) 781-1111 and delete the communication and destroy all copies. Thank you for your cooperation.