

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN RE YASMIN AND YAZ)))))))))
(DROSPIRENONE) MARKETING,)))))))))
SALES PRACTICES AND PRODUCTS)))))))))
LIABILITY LITIGATION,)))))))))
)))))))))
)))))))))

3:09-md-02100-DRH-PMF
MDL No. 2100

TRANSCRIPT OF PROCEEDINGS
STATUS CONFERENCE
APRIL 20, 2015
BEFORE THE HONORABLE DAVID R. HERNDON
CHIEF UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

For the Plaintiffs: Mark R. Niemeyer, Michael A. London,
Michael Burg, Roger C. Denton, Seth A. Katz

For the Defendant: Kaspar Stoffelmayr, John Galvin, Susan
Weber, Tim Coon, Rebecca Bacon

Court Reporter: Laura A. Esposito, RPR, CRR
U.S. District Court
750 Missouri Avenue
East St. Louis, IL 62201
(618) 482-9481

Proceedings recorded by mechanical stenography;
transcript produced by computer.

1 **(Court convened)**

2 THE COURT: We've just called the YAZ MDL-2100 to
3 order for our monthly status conference. We have
4 Michael Burg and Kaspar Stoffelmayr at the podium to make
5 our presentation on agenda items.

6 MR. BURG: Your Honor, can we go off the record for
7 just a second? I apologize.

8 THE COURT: Sure. Hold on one second.

9 **(Off the record)**

10 * * * *

11 THE COURT: Okay. So Mr. Burg and Mr. Stoffelmayr,
12 if you'll address the first agenda item.

13 MR. BURG: Your Honor, on the gallbladder, we have
14 heard from Garretson on that. They are continuing to work
15 through lien resolution. Unfortunately, there's only about
16 59 percent that have been paid at this point. We've talked
17 to Your Honor and the defense about trying to figure out how
18 we can speed this up. They're predicting now that all the
19 money will be paid out sometime toward the end of the
20 summer, and we're working to try to speed that up.

21 THE COURT: Great. And I'm going to try to address
22 this as well through an order. Anything else on that
23 matter?

24 MR. STOFFELMAYR: Not from the defense, Your Honor.

25 THE COURT: All right. So Item No. 2 is the

1 generic fact discovery issue.

2 *MR. BURG:* We're moving forward and cooperating
3 with defendants on the generic fact discovery. We've now
4 requested this morning additional information relating to a
5 period of time from the ad com to the time of the first
6 resolution, beginning of the resolution, and we're going to
7 work with the defendants to see if we can work that out,
8 Your Honor.

9 *MR. STOFFELMAYR:* I'm also hopeful this is
10 something the parties can resolve between themselves.

11 *THE COURT:* Great. Thanks. Next item?

12 *MR. BURG:* The ATE reports were filed by the
13 plaintiffs.

14 *THE COURT:* All right. And the -- anything else on
15 that item? Going to address in a minute with, respect to
16 the defendant, ATE expert reports will be the subject of a
17 separate court order and we'll deal with that separately.
18 Anything else on that line item?

19 *MR. BURG:* Nothing from the plaintiffs, Your Honor.

20 *MR. STOFFELMAYR:* No, Your Honor. Thank you.

21 *THE COURT:* So the fourth line item having to do
22 with CMO 70 and 72.

23 *MR. STOFFELMAYR:* Your Honor, we provided you with
24 an update on discovery, including the Schuchert case, the 25
25 other cases that are still on the docket, and reported that

1 while there have been some hiccups, I believe we are still
2 on track to meet the June 30th deadline to complete initial
3 fact discovery in those cases.

4 *THE COURT:* Very good. Anything else on the items?

5 *MR. BURG:* Nothing from the plaintiff.

6 *THE COURT:* VTE settlements are progressing?

7 *MR. BURG:* They are. I think we're coming down to
8 the end of the line, but I think there's been additional
9 progress. I know it was reported by the defendants that
10 additional cases were settled in the last 30 days, and we're
11 hopeful that we'll continue to make progress.

12 *THE COURT:* Okay. All right. So the next
13 conference will be May 21st. The status conference will be
14 at 12:30.

15 *MR. BURG:* Thank you, Your Honor.

16 *MR. STOFFELMAYR:* Thank you.

17 *THE COURT:* Thank you.

18 ***(Court adjourned)***

19 * * * *

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, Laura A. Esposito, RPR, CRR, CCR(MO), Official Court Reporter for the U.S. District Court, Southern District of Illinois, do hereby certify that I reported in shorthand the proceedings contained in the foregoing 3 pages, and that the same is a full, true, correct, and complete transcript from the record of proceedings in the above-entitled matter.

Dated this 27th day of April, 2015.

LAURA A. ESPOSITO, RPR, CRR, CCR