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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

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IN RE: PRADAXA	)	3:12-md-02385-DRH-SCW
(DABIGATRAN ETEXILATE)	)	
PRODUCTS LIABILITY ACTION	)	MDL No. 2385
_____		)

This Document Relates to:

ALL CASES

TRANSCRIPT OF PROCEEDINGS  
STATUS CONFERENCE  
JULY 28, 2014  
BEFORE THE HONORABLE DAVID R. HERNDON  
CHIEF UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

**For the Plaintiffs:** Roger C. Denton, Seth A. Katz,  
Mark R. Niemeyer, Steve Davis

**For the Defendant:** Dan H. Ball, Paul W. Schmidt,  
W. Jason Rankin

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're in open court. We've called the  
3 Pradaxa status conference to order. This is MDL 2385. We  
4 have, at the podium, Seth Katz for the plaintiff,  
5 Paul Schmidt for the defendants.

6           First matter on the agenda is the report on the  
7 Master Settlement Agreement and the settlement status.  
8 Gentlemen?

9           **MR. KATZ:** Good afternoon, Your Honor. Seth Katz  
10 for the Plaintiffs Steering Committee. We received a  
11 detailed report on the status of the opt-in process. It is  
12 moving well. We've used a portal ourselves and the portal  
13 is a user friendly interface that's easy to navigate. The  
14 extension deadline, July 30th, is coming up, so there are  
15 still people who need to opt in, but based on the progress  
16 of the numbers that have been submitted so far, I think it's  
17 fair to say that the parties are cautiously optimistic that  
18 the thresholds that were required under the MSA will be  
19 met.

20           **MR. SCHMIDT:** Paul Schmidt for the defendant. We  
21 share Mr. Katz's cautious optimism. Things seem to be going  
22 well. We have nothing further to add beyond that.

23           **THE COURT:** Motion for Qualified Protective Order,  
24 which the Court has granted, will enter, but Mr. Katz, you  
25 want to address that?

1           MR. KATZ: Sure. That was submitted earlier today,  
2 Your Honor. That's merely an order that allows the lien  
3 administrator for Providio that's been retained to  
4 communicate with Medicaid and Medicare on behalf of all the  
5 participating claimants, and we appreciate Your Honor's  
6 entering it quickly so that they can begin to have those  
7 negotiations.

8           MR. SCHMIDT: We, on the defense, conferred  
9 regarding that order. We had some very modest changes.  
10 Those were adopted by the plaintiffs, so we have no  
11 opposition to entry of the order.

12           THE COURT: Then also a Motion for Qualified  
13 Settlement Fund?

14           MR. KATZ: That's an order that -- and a motion  
15 that the PSC will be making in the next -- shortly, let's  
16 say something that needs to be addressed before funding so  
17 that when the funding trigger is hit there's a place for the  
18 money to go and it's in the proper format so that clients  
19 still have the opportunity to address their special needs,  
20 whether it's through structured special needs trust, etc.,  
21 so kind of for the holding station, and we will get that to  
22 the Court shortly.

23           MR. SCHMIDT: And today we intend to work with the  
24 plaintiffs on the language of it and anticipate working  
25 something out in short order.

1            *THE COURT:* Report regarding Providio?

2            *MR. KATZ:* Now that the Qualified Protective Order  
3 has been entered, Providio, who's been retained as the lien  
4 administrator, will be able to get moving and work with  
5 Medicaid, Medicare so that they can have a more detailed  
6 update for us and the Court at the next status conference.

7            *THE COURT:* And the last item on the agenda just  
8 has to do with co-liaison counsel, Mark Niemeyer. We are in  
9 process, and will very soon complete the process, I guess  
10 the end of this week, if I'm not mistaken, changing  
11 addresses, changing firms, and he'll provide us all with his  
12 new contact information.

13            *MR. KATZ:* Correct.

14            *THE COURT:* Next conference will be August the  
15 26th. The Court conference will be at 9:30.

16            Is there anything else to be brought before the  
17 Court?

18            *MR. KATZ:* Nothing for the plaintiffs.

19            *MR. SCHMIDT:* Not for the defense, Your Honor.

20            *THE COURT:* Very good. We stand adjourned.

21            **(Court adjourned)**

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**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 4 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 4th day of August, 2014.

\_\_\_\_\_  
LAURA A. ESPOSITO, RPR, CRR, CCR