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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  
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This Document Relates to:

ALL CASES

TRANSCRIPT OF PROCEEDINGS  
STATUS CONFERENCE  
SEPTEMBER 29, 2014  
BEFORE THE HONORABLE DAVID R. HERNDON  
CHIEF UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

For the Plaintiffs: Roger C. Denton, Seth A. Katz, Michael Kruse, 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've called to order the Pradaxa MDL  
3 2385. At the podium, ready to discuss the matters on the  
4 agenda, Seth Katz for the plaintiffs and Dan Ball for the  
5 defendant. Mr. Katz, are you going to address matters  
6 first?

7           **MR. KATZ:** Sure. The first matter is a report on  
8 the settlement. As Your Honor's aware, the settlement  
9 proceeds have been funded by Boehringer. We've received  
10 reports from Providio regarding the liens, Brown & Greer  
11 regarding the claims process, and the Special Master  
12 regarding her involvement in all of the above.

13           Suffice it to say that the claims process is going  
14 exceedingly smoothly, that the claims deadline has been  
15 almost -- it's coming up soon. There are the last handful  
16 of people that are still entitled to minor extensions,  
17 should they ask for them, but that claim process will end in  
18 the next few weeks, so that's going smoothly.

19           With regard to the liens, that also is going well.  
20 With regard to government liens, Medicare, we are very close  
21 to an agreement. Medicaid hold-backs are in place for the  
22 vast majority of the states in the country and things are  
23 moving along swimmingly in that regard as well.

24           **THE COURT:** Mr. Ball, anything to add?

25           **MR. BALL:** Yes. What I would add, Your Honor, is

1 that we would confirm that funding was made, as Mr. Katz  
2 said, and our interest now is to make sure, as things go  
3 forward, that we're satisfied that all of the terms of the  
4 MSA, including particularly Sections 8.7 and 8.8, are  
5 complied with, and we'll be keeping an eye on that issue.

6 *THE COURT:* Very good. Agree the provisions of the  
7 agreements and the implementation order need to be followed.  
8 We received reports from Providio, Brown Greer, and I  
9 appreciate those.

10 Speaking of the implementation order, we have an  
11 agenda item relative to the status of that information.

12 *MR. BALL:* Yes. The status on that is that there  
13 is a relatively small number of claimants that we have been  
14 engaged in discussions with that we will make -- have a  
15 necessity in the near future of filing some motions to show  
16 cause pursuant to the Court orders, and we would just place  
17 this on the agenda to give the Court a heads-up that those  
18 may be coming down the pike in the near future.

19 *MR. KATZ:* Your Honor, nothing really to add, other  
20 than when the negotiations of the settlement, the  
21 implementation were engaged in, the PSC took those  
22 seriously, and we think in terms of the implementation  
23 order, it's something that must be followed by everybody.

24 *THE COURT:* Well, yeah. It's quite clear what  
25 those requirements are, and they were negotiated at arms

1 length and so they must be implemented, and the Court will  
2 enforce the orders that were agreed or to, or the agreements  
3 that were agreed to by the parties, so if they receive  
4 motions relative to those issues, be happy to take those up  
5 in due course.

6           So we need to continue to make sure that these  
7 matters continue to move along, insure that those people who  
8 are to be compensated are, in fact, compensated in a timely  
9 manner. So we agreed to next meet November the 12th. I  
10 have matters already set that day, but we will meet at 1:00.  
11 I have another matter set at 1:30, but we'll meet at 1:00 on  
12 that date.

13           Anything else that we need to take up at this time?

14           MR. KATZ: Nothing from the plaintiffs, Your Honor.  
15 Thank you.

16           MR. BALL: Nothing from the defense, Your Honor.

17           THE COURT: All right. Fine. Thanks. We stand  
18 adjourned.

19           *(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 6th day of October, 2014.

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LAURA A. ESPOSITO, RPR, CRR, CCR