

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: ZIMMER DUROM HIP CUP
PRODUCTS LIABILITY
LITIGATION

2:09-cv-04414-SDW-MCA

MDL-2158

This Document Relates To All Cases

ORDER

On the 25th day of February, 2015, this Court received oral argument on several motions and responses and issued the following rulings:

1. The Christine Brady case is set for trial on May 6, 2015.
2. Defendants' Motions in limine are DENIED without prejudice to renew at trial depending on the testimony elicited at trial. This includes the following motions:
 - a. Zimmer's Motion to Exclude the Testimony of James Grimes, M.D. Doc. 544;
 - b. Zimmer's Motion to Exclude the Testimony of George M. Samaras, Ph.D. Doc. 546;
 - c. Zimmer's Motion to Exclude the Testimony of Roy Drake Bloebaum, Ph.D. Doc. 548; and
 - d. Zimmer's Motion to Exclude the Testimony of Kurt Kitziger, M.D. Doc. 549.

3. Plaintiffs' Motions in limine are DENIED without prejudice to renew at trial depending on the testimony elicited at trial. This includes the following motions:

a. Plaintiffs' Motion to Exclude the Testimony of Ronald Johnson Doc. 555;

b. Plaintiffs' Motion to Exclude the Testimony of Kevin Ong, Ph.D. and Judd Day, Ph.D. Doc. 558; and

c. Plaintiffs' Motion to Exclude the Testimony of Robert Schmidt, M.D. Doc. 559.

4. Plaintiffs are GRANTED leave to serve supplemental case specific reports of Roy Drake Bloebaum, Ph. D. in the Christine Brady and Mary Ann Ruttenbur cases. Defendants are GRANTED leave to depose Dr. Bloebaum relating to these reports and to supplement their case specific expert reports if they deem it appropriate to do so.

5. Plaintiffs' Renewed and Amended Motion for Sanctions Relating to Zimmer Inc.'s Spoliation of Evidence is DENIED without prejudice to renew at trial upon seeking leave of the Court depending on the testimony elicited at trial.

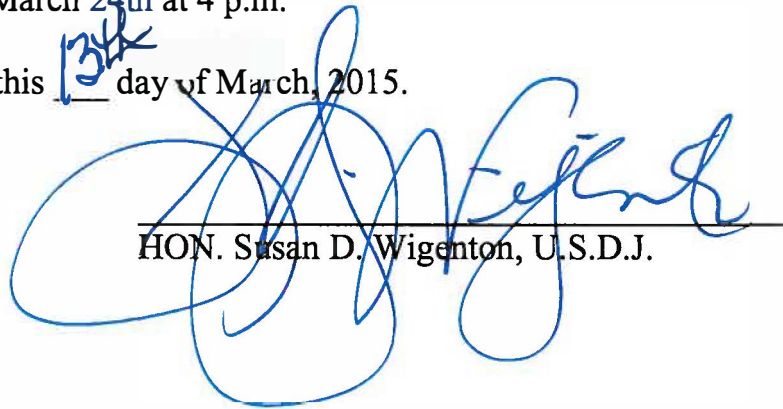
6. Defendants' Motions for Summary Judgment in the Christine Brady and Mary Ann Ruttenbur cases will be ruled upon without oral argument.

7. Plaintiffs' Motion to Modify Case Management Order 3 regarding

state common benefit fees will be heard by Magistrate Judge Mannion at the next case management conference on March 24th at 4 p.m.

8. Various individual Plaintiffs' requests to reduce the common benefit assessment will be heard by Magistrate Judge Mannion at the next case management conference on March 24th at 4 p.m.

IT IS SO ORDERED this 13th day of March, 2015.



HON. Susan D. Wigenton, U.S.D.J.