

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE: BIOMET M2a MAGNUM HIP)
IMPLANT PRODUCTS LIABILITY) CAUSE NO. 3:12-MD-2391
LITIGATION (MDL 2391))
)
)
_____)
This Document Relates to All Cases)
_____)

MEMORANDUM AND ORDER
FOR JANUARY 30, 2018 STATUS CONFERENCE

Brenda Fulmer, Ahmed Diab, and Justin Presnal appeared for the plaintiffs; John Winter, John LaDue, and Erin Hanig appeared for the defendants. Topics addressed included the active case count, status of Group 5 discovery and pending motions, the timing of new motions for summary judgment relating to spoliation and the statute of limitations, and the proposed disposition of cases in which the plaintiff has reportedly settled, but not returned a signed releases, or hasn't submitted a materially complete Declaration of Causation as required by the December 14, 2016 order regarding *pro se* cases.

Following discussion, the court:

(1) DIRECTED the Plaintiffs' Lead Counsel and Biomet to submit a brief proposal regarding the procedures and timing for remanding cases to the transferor courts, and to be prepared to address the matter at that conference;

(2) DIRECTED the parties to confer and agree upon a list of cases that are ready for summary judgment motions relating to spoliation and the statute of limitations, and to submit a proposed briefing schedule for those cases; and

(3) SET the next status conference for **Monday, March 12, 2018, at 1:30 p.m. (E.D.T.)**.

SO ORDERED.

ENTERED: February 1, 2018

/s/ Robert L. Miller, Jr.
Judge, United States District Court