

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))
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This Document Relates to All Cases)
_____)

MEMORANDUM AND ORDER
FOR JULY 13, 2017 STATUS CONFERENCE

Navan Ward, Brenda Fulmer, Ahmed Diab, and Justin Presnal appeared by phone for the plaintiffs; John Winter, John LaDue, and Erin Linder Hanig appeared in person for the defendants. Topics addressed included the active case count, status of discovery, the status of *pro se* and MoP cases, dismissal of funded cases, Biomet's request to depose Jamie Williams from Robson Engineering, the Unopposed Motion to Administer Settlements Resolving Cases and Claims of Beasley Allen, P.C. Plaintiffs [Doc. No. 3370], new referrals, and reappointment of the Plaintiffs' Steering Committee.

Following discussion, the court:

- (1) GRANTED Biomet's request to depose Jamie Williams;
- (2) AGREED to issue a third show cause order in cases that have settled and been fully funded; DIRECTED the parties to confer and submit a proposed order; and ADVISED that plaintiffs will be given three weeks from the date of the show cause order to respond/object to dismissal;

(3) DIRECTED Biomet to file its motion for summary judgment in *Eastman v. Biomet*, Cause No. 3:15cv585, by **July 19, 2017**, and ORDERED that responses to plaintiff's summary judgment motion [Doc. No. 107 in 3:15cv585] and Biomet's anticipated summary judgment motion be filed by **August 16, 2017**, with any replies due by **August 30, 2017**;

(4) ADVISED the parties that it will grant the plaintiffs' Unopposed Motion to Administer Settlements Resolving Cases and Claims of Beasley Allen, P.C. Plaintiffs [Doc. No. 3370] by separate order;

(5) REAPPOINTED the Plaintiffs' Steering Committee II, Co-Lead Counsel, and Liaison Counsel;

(6) DIRECTED the parties to meet, confer, and submit recommendations regarding the procedures for handling new referrals and culminating proceedings by **August 17, 2017**; and

(7) SET the next status conference for **Thursday, August 24, 2017, at 1:00 p.m. (E.D.T.)**.

SO ORDERED.

ENTERED: July 14, 2017

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