

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 AUGUST 29, 2016 STATUS CONFERENCE

Brenda Fulmer, Navan Ward, Justin Presnal, Alex Davis, and Kristen Barton appeared telephonically for the plaintiffs; John Winter, John LaDue, and Erin Linder Hanig appeared in person for the defendants. Topics addressed included the status of discovery, the active case count, management of proposed Group 3 and *pro se* cases, a proposed second order to show cause, and Biomet's request for a state court coordination letter.

Following discussion, the court:

(1) directed the parties to submit a written motion to extend the chain of custody deposition deadline and summary judgment briefing schedule in *Baker v. Biomet*, Cause No. 3:15-CV-147;

(2) gave the parties three weeks to confer and submit a proposed list of cases to be included in Group 3 for purposes of case-specific discovery;

(3) gave the Plaintiffs' Steering Committee 30 days to submit an alternative to the *Lone Pine* order proposed by Biomet in *pro se* cases;

directed Biomet to submit its response within 30 days of receiving the Committee's proposal; and directed the parties to confer and, if possible, submit an agreed *Lone Pine* order in the event the court decides such an order is appropriate;

(4) agreed to issue a second show cause order in cases that have settled, but remain pending; advised the parties that it would provide a list of cases that are currently pending, but have been designated as inactive or settled; and directed the parties to confer and submit a proposed order;

(5) deferred ruling on Biomet's request to issue a state coordination letter [Doc. No. 3172]; and advised the parties that it will submit a modified coordination letter for their consideration and will give them 14 days to file any objections to the letter, as modified; and

(6) set the next status conference for **November 7, 2016 at 1:30 p.m.**

(E.S.T).

SO ORDERED.

ENTERED: August 31, 2016

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