

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE: BIOMET M2a MAGNUM HIP)
IMPLANT PRODUCTS LIABILITY)
LITIGATION (MDL 2391))
) Cause No. 3:12-MD-2391
)
_____)
)
This Document Relates to the Cases)
Listed in the Order.)
_____)

ORDER

The Joint Proposed Remand Group 2 List and Discovery Group 7 List [Doc. No. 3726] submitted by the parties raise questions regarding the proper remand or transfer venue in four cases, omit cases from Remand Group 2 and Discovery Group 7 that appear to meet the qualifications and remain pending on the court's docket, and don't include proposed deadlines for Discovery Group 7 activation, submission of updated authorizations, and completion of discovery, as requested in the court's September 21, 2018 memorandum and order.

To avoid delays and promote judicial efficiency, the court:

(1) Directs Plaintiffs' Steering Committee and the Biomet Defendants to file a brief joint report by **October 29, 2018** providing the status of the following cases that were omitted from proposed Remand Group 2:

3:13-CV-608	Mary Jo Carter v. Biomet, Inc., et al.
3:14-CV-1559	Lawrence Martin v. Biomet, Inc., et al.
3:14-CV-1784	Marion Guynn v. Biomet, Inc., et al.
3:14-CV-2014	Todd Stephens v. Biomet, Inc., et al.
3:14-CV-2017	Killion v. Biomet, Inc., et al.

3:14-CV-2080	Manos v. Biomet, Inc., et al.
3:15-CV-77	JoAnn Cook v. Biomet, Inc., et al.
3:15-CV-142	Robert Gluck v. Biomet, Inc., et al.
3:15-CV-216	Nancy and Weston Lewis v. Biomet, Inc., et al.
3:15-CV-611	Jonathan Matney v. Biomet, Inc., et al.
3:16-CV-189	Barbara and James Younglove v. Biomet, Inc., et al.
3:16-CV-369	J.C. Rivers v. Biomet, Inc., et al.
3:16-CV-583	Daniel and Evelyn Gearhardt v. Biomet, Inc., et al.

(2) Directs the Plaintiffs' Steering Committee and Biomet Defendants to file a brief joint report by **October 29, 2018** identifying: (a) proposed deadlines for Discovery Group 7 activation, submission of updated authorizations, and completion of discovery, and (b) the status of the following cases that were omitted from proposed Discovery Group 7:

3:14-CV-1679	Angela Luker v. Biomet Inc., et al.
3:17-CV-386	Anne Rice-Torres and John Torres v. Biomet, Inc., et al.
3:17-CV-510	Karen Draude v. Biomet Inc., et al.
3:17-CV-643	Racci DeLuca v. Biomet Inc., et al.
3:17-CV-747	Kenneth McDaniel v. Biomet Inc., et al.
3:17-CV-826	Nancy and Robert Rauber v. Biomet Inc., et al.
3:17-CV-848	John and Denise Coroch v. Biomet Inc., et al.
3:17-CV-958	Amaelia and Mark Pasker v. Biomet Inc., et al.

(3) Directs the parties to brief the venue dispute in *Giambruno v. Biomet, Inc.*, Case No. 3:16-CV-548. The plaintiff, Michael Giambruno, shall have to and including **October 26, 2018** to file a brief in support of his assertion that proper venue lies in the Western District of New York; and the defendants will have until **November 9, 2018** to file their response.

SO ORDERED.

ENTERED: October 15, 2018

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