

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 )  
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MEMORANDUM OF SEPTEMBER 3, 2015 STATUS CONFERENCE

Topics addressed at the September 3 status conference included: an update on the status of cases and motions currently pending in federal and state court; proposed updates to the case management orders; Biomet’s unopposed request for a general order dismissing improperly named Biomet defendants; the Plaintiffs’ position statement regarding discovery and case management plan [Doc. No. 2961]; and PSC II’s motion for interim common benefit fee and expense funds [Doc. No. 2963]. The parties agreed to meet and confer regarding the modifications to the case management orders and to submit proposed orders for the court’s approval.

Following discussion, the court:

(1) DIRECTED the Plaintiffs’ Steering Committee and Biomet defendants to submit proposed scheduling orders by **September 17, 2015**, offering the December 10, 2013 order [Doc. No. 1118] as a possible template;

(2) DEFERRED ruling on the motion for an interim common benefit fund order [Doc. No. 2963], DIRECTED the Plaintiffs' Steering Committee to submit a list of the settled cases that it believes should contribute to the common benefit fund by **September 17, 2015**, GAVE the defendants to and including **October 1, 2015** to respond, and ADVISED that it could invite comments from plaintiffs' counsel in the member cases following the parties' submissions and before ruling on the motion; and

(3) SET the next status conference for **Wednesday, October 7, 2015, at 1:30 p.m. (E.D.T.)**.

ENTERED: September 8, 2015

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