

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

STATUS CONFERENCE

In Re: Fluoroquinolone Products Liability
Litigation,

Plaintiff,

v.

Defendant

COURT MINUTES

BEFORE: John R. Tunheim
Chief U.S. District Judge

Case No: 15-2642 JRT

Date: August 16, 2021

Deputy: Heather Arent

Court Reporter: Kristine Mousseau

Time Commenced: 1:09 PM

Time Concluded: 1:20 PM

Time in Court: 11 Minutes

Hearing on: Status Conference

I. Johnson & Johnson Defendants Update

Counsel for Johnson & Johnson stated that there were approximately nineteen (19) cases remaining against Johnson & Johnson, eight (8) of which are pro se. Two (2) of those cases may soon become pro se. Counsel noted that they are in negotiations with five (5) cases, all represented by the same firm. Currently before the Court is Johnson & Johnson's Motion to Dismiss with Prejudice four (4) pro se cases, King, Slaven, Wright, and Maller. Plaintiffs have failed to comply with the Court's order to update their Plaintiff's Fact Sheet. The Court required a response to the motion by July 16, as to three (3) of those four (4) cases, no responses have yet been filed. Counsel withdrew its Motion to Dismiss with Prejudice as to plaintiff Maller as she has been in contact with Counsel. Counsel noted that there are four (4) additional pro se cases they will likely be requesting relief for at the next status conference. Counsel may request an order to show cause in two (2) cases. Counsel stated that they have reached out to the attorneys representing these plaintiffs, but the attorneys have been unable to contact the plaintiffs.

II. Bayer Defendants Update

Counsel stated that only a few cases remain outstanding. Stipulations dismissing both the Reed and Oldham cases have been entered. A stipulation dismissing the Burns case will also soon be filed. In one (1) case, Jackson, Counsel has received medical records pursuant to Pre-Trial Order 18 and have agreed that the remaining items, including expert reports, are due at the end of September. At this time Counsel hopes to continue discussions in the case and come back with next steps and a schedule if a resolution cannot be reached. Counsel stated that one (1) case, McKinley, has been tagged and will likely make its way into the MDL. Counsel noted that there were a few other clerical issues on the docket that they were working to resolve.

III. Motion for Correction of Common Payment Fund

Plaintiffs have conferred with the law firm who made the overpayment and confirmed that the numbers in the original motion were mistaken. They sent a correspondence with the court via email seeking to correct the number. An Amended Proposed Order seeking to correct the number in the initial order will be sent to the Court today, August 16, 2021.

IV. Scheduling of Next Status Conference

The next status conference will be scheduled for October 2021.

APPEARANCES BY VIDEOCONFERENCE

Plaintiffs: Yvonne Flaherty

Defendants: Tracy Van Steenburgh, Lori Leskin

s/Heather Arent
Courtroom Deputy Clerk