

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

**IN RE: PRADAXA (DABIGATRAN
ETEXILATE) PRODUCTS LIABILITY
LITIGATION**

)
) **3:12-md-02385-DRH-SCW**
)
) **MDL No. 2385**
)

This Document Relates to:

ALL CASES

MINUTES OF STATUS CONFERENCE

PRESIDING: CHIEF JUDGE DAVID R. HERNDON

DATE: August 8, 2013

COURT REPORTER: Laura Blatz

PLACE: East St. Louis, Illinois

COURTROOM DEPUTY: Sara Jennings

APPEARING FOR PLAINTIFFS:

Michael A. London, Mikal C. Watts, Steven D. Davis, Roger C. Denton, Seth A. Katz, Tor A. Hoerman (via phone), Mark R. Niemeyer (via phone)

APPEARING FOR DEFENDANTS:

Dan H. Ball, Paul W. Schmidt, Beth S. Rose, Eric E. Hudson, Marsha Rabiteau, Robert A. Limbacher

TIME: 10:05 AM – 10:35 AM

Court met with lead and liaison counsel prior to the hearing today.

Mr. Katz and Mr. Schmidt provided an update on the CMO 37 productions. The certification process has been helpful and the parties continue to work through the minor issues. Ms. Rose provided an update on the issue of adjudication reports from the Z drive. Also Ms. Rose reported that the defendants are working with plaintiff to provide information regarding clinical science consultants for the bellwether cases as requested.

Mr. Schmidt and Mr. Katz reported that the parties have agreed on dates for scheduling depositions and have agreed on dates for supplements prior to depositions. The Court encouraged both sides to work together on scheduling. The parties will contact Judge Dan Stack to arrange these depositions. The Court will broaden the scope of Judge Dan Stack's duties to Discovery Master so that disputes can be negotiated quickly prior to the monthly status conferences. The PSC is supportive of Judge Stack serving in this role.

Mr. Katz reported on the status of the third party subpoena served on PHRI in Canada. PSC has discovered there is a viable cause of action against PHRI. They request that the Court issue an order requiring counsel for PHRI to appear at the next status conference. Mr. Schmidt reported that defendants' request that counsel for PHRI be given the chance to respond to plaintiff's request before being required to appear. Court states that to the extent that PHRI is included in the litigation, they will be expected and allowed the opportunity to participate.

Mr. Ball reported on the Bellwether deposition issue. Proposals were made regarding who will be allowed to ask questions first during depositions. Court rules that in the plaintiff picked cases, the plaintiff will have the option of going first and in the defendant picked cases, the defendant will have the option of going first.

The parties submitted an agreed upon case management order regarding ex parte communication with treating physicians. Order will be signed immediately.

Next status conference set for **September 4, 2013** at **9:30 AM**.