

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

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

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

**This Document Relates to:**

**ALL CASES**

**MINUTES OF DISCOVERY DISPUTE CONFERENCE**

**PRESIDING:** CHIEF JUDGE DAVID R. HERNDON

**DATE:** September 18, 2013 **COURT REPORTER:** Laura Blatz

**PLACE: East St. Louis, Illinois** **COURTROOM DEPUTY:** Sara Jennings

**APPEARING FOR PLAINTIFFS:** Michael A. London, Roger C. Denton, Seth A. Katz, Tor A. Hoerman (via phone), Mark R. Niemeyer, Stephen A. Davis, Ken Brennan

**APPEARING FOR DEFENDANTS:** Dan H. Ball, Paul W. Schmidt, Beth S. Rose, Eric E. Hudson, Colleen Roh and Michael X. Imbroscio

**TIME:** 9:00 AM – 12:10 PM

**RECESS:** 10:45 AM – 10:55 PM

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Hearing called on Motion to Compel (Doc. 256) and Motion for Sanctions (Doc. 265), both filed by plaintiffs.

Mr. Katz provided argument on behalf of the plaintiffs as to the Motion for Sanctions. Mr. Denton provided argument on the specific Mary Sullivan issues. Mr. London discussed the response in opposition to the Motion for Sanctions. Mr. Niemeyer discussed resolution and remedies.

Mr. Schmidt provided argument on behalf of the defendants as to the Motion for Sanctions. General Counsel, Marla Persky for BIPI and Andreas Neumann for BII, addressed the Court.

Both Mr. Katz and Mr. Schmidt provided rebuttal as to the Motion for Sanctions.

Mr. Brennan provided argument on behalf of plaintiffs as to the Motion to Compel.

Mr. Hudson provided argument on behalf of the defendants with regard to the Motion to Compel. Ms. Rose provided specific information as to the 2006 communications. The court requests that the privilege log entries be provided for in-camera review.

Mr. Brennan and Mr. Hudson provided rebuttal as to the Motion to Compel.

Motion to Compel taken under advisement. As to the Motion for Sanctions, Court finds that the defendant has violated or failed to meet either the letter or spirit of the Court's orders relative to discovery in a number of respects.

Court orders defendants to pay a fine to the registry of this Court in the amount of \$29,540. Additionally, the Court orders a mandatory injunction against defendants. Details of this injunction can be found in the transcript.

Court declines to amend CMO 37. Documents provided to the Court were returned at the conclusion of the hearing.